

# THE FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA

*Pittsburgh, County of Allegheny*

## ANNUAL REPORT 2014





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# MESSAGE FROM THE PRESIDENT JUDGE AND DISTRICT COURT ADMINISTRATOR

On behalf of the members of the judiciary and personnel of the Fifth Judicial District of Pennsylvania, we are pleased to present the Court's 2014 Annual Report. We believe the highlighted initiatives and accomplishments throughout the report demonstrate the Court's commitment to provide the most efficient use of judicial resources, enhanced access to our court systems, and accountability to the people.


- In March 2014, a second community-based Family Division-Adult Section office was opened in Penn Hills enabling litigants to file for support, seek modification of an order, or obtain case information.
- A Self-Help Center was established in January 2014 at the Family Law Center to guide self-represented litigants through court processes and procedures.
- The Adult Probation department received a grant in 2014 from the Pennsylvania Commission on Crime and Delinquency to fund a Community Resource Center (CRC) in the Monongahela Valley which will provide probation and social services for approximately 1,000 probationers.
- Access to court programs and services for limited English proficient and disabled citizens was upgraded with the adoption of a formal Fifth Judicial District Language Access Plan and specialized training for court and court-related staff.
- An electronic filing (e-filing) system was implemented in Orphans' Court, in cooperation with the Department of Court Records and the Allegheny County Office of Behavioral Health, for the processing of involuntary civil commitment cases and for expanding access to case information with search, tracking, and monitoring functionality.
- Predictability in proactive civil case management was initiated through a multi-faceted approach to address judicial assignment, tracking, and reporting of civil matters.
- Extensive effort and resources were expended to prepare for the docketing, scheduling, accounting, and electronic filing of delinquency cases in the Common Pleas Case Management System (CPCMS) in 2015.



Additionally, the following notable achievements were realized throughout the Court and judicial system in 2014.

- The Allegheny County Jail Collaborative was the recipient of the 2014 Governor's Award for Local Government Excellence, Information Technology category, for the development and implementation of a program which created effective, shared communication among the Allegheny County Jail, the Allegheny County Department of Human Services, and the Court.
- Children's Court was selected by the National Council of Juvenile and Family Court Judges (NCJFCJ) in 2014 as one of eight national implementation sites to receive proactive technical assistance on a spectrum of child welfare issues and best practices.
- Allegheny County became a launch site for Georgetown University's Center for Juvenile Justice Reform's (CJJR) Crossover Youth Practice Model (CYPM), with the collaboration of Juvenile Probation, Children's Court, and the Allegheny County Office of Children, Youth and Families. It is anticipated that this model will increase positive outcomes for youth who have experienced maltreatment, engaged in delinquency, and are known to both the juvenile justice and child welfare systems.

We believe that the information provided in the 2014 Annual Report reflects our dedication to the administration of justice and appreciation of the public's trust and confidence in the judicial branch of government. Thank you for taking the time to review this Court's Annual Report.

  
JEFFREY A. MANNING  
President Judge

  
CLAIRE C. CAPRISTO, ESQ.  
District Court Administrator





## 2014 BOARD OF JUDGES

### First Row:

Lawrence J. O'Toole  
 Ronald W. Folino  
 Jeffrey A. Manning  
 Kim Berkeley Clark  
 David R. Cashman

### Second Row:

Paul F. Luty, Jr.  
 Michael F. Marmo  
 Kathleen R. Mulligan  
 Timothy Patrick O'Reilly  
 Robert J. Colville  
 Kathleen A. Durkin  
 Philip A. Ignelzi

### Third Row:

Michael A. Della Vecchia  
 Kevin G. Sasinoski  
 Arnold I. Klein  
 Mark V. Tranquilli  
 Jill E. Rangos  
 John A. Zottola  
 Joseph K. Williams, III

### Fourth Row:

Guido A. DeAngelis  
 Thomas E. Flaherty  
 Dwayne D. Woodruff  
 Jennifer Satler  
 Alexander P. Bicket

### Fifth Row:

John T. McVay, Jr.  
 Alan D. Hertzberg  
 Edward J. Borkowski  
 Beth A. Lazzara  
 William F. Ward

### Sixth Row:

Paul E. Cozza  
 Donald E. Machen  
 Lester G. Nauhaus  
 Donald R. Walko, Jr.  
 R. Stanton Wettick, Jr.

### Not Pictured:

Gerard M. Bigley  
 Kelly Eileen Bigley  
 Cathleen Bubash  
 Eleanor L. Bush  
 Kim D. Eaton  
 Susan Evashavik DiLucente  
 Judith L. A. Friedman  
 Robert C. Gallo  
 Kathryn M. Hens-Greco  
 Joseph M. James  
 Robert A. Kelly  
 Frank J. Lucchino  
 Anthony M. Mariani  
 Lee J. Mazur  
 Michael E. McCarthy  
 Donna Jo McDaniel  
 W. Terrence O'Brien  
 Randal B. Todd  
 Christine A. Ward



President Judge Jeffrey A. Manning (center) with Administrative Judges (L-R): Ronald W. Folino, Kim Berkeley Clark, David R. Cashman, and Lawrence J. O'Toole.

# TABLE OF ORGANIZATION FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA

## SUPREME COURT OF PENNSYLVANIA

PRESIDENT JUDGE

BOARD OF JUDGES

ADMINISTRATIVE JUDGE  
CIVIL DIVISION

ADMINISTRATIVE JUDGE  
CRIMINAL DIVISION

ADMINISTRATIVE JUDGE  
FAMILY DIVISION

ADMINISTRATIVE JUDGE  
ORPHANS' DIVISION

DISTRICT COURT ADMINISTRATOR

### CIVIL DIVISION

Torts, Contract Disputes,  
Malpractice Cases,  
Other Civil Cases  
Arbitration  
Board of Viewers

### CRIMINAL DIVISION

Murder, Felony and  
Misdemeanor Cases  
Pretrial Services  
Adult Probation

### FAMILY DIVISION

**Adult Section**  
Divorce  
Child Support

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**Juvenile Section**  
Delinquency  
Juvenile Probation

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**Children's Court**  
Dependency  
Custody  
Adoptions  
Protection from Abuse

### ORPHANS' DIVISION

Wills and Estates  
Civil Commitments  
Guardianships  
Adoptions

### MINOR JUDICIARY

46 Magisterial District Courts  
Pittsburgh Municipal Court

### COURT ADMINISTRATION

Court Reporters  
Fiscal Management  
Information Technology  
Human Resource Management  
Jury Management and Operations  
Policy and Process Development  
Facilities Management  
Office of Conflict Counsel  
Minor Judiciary Administration

### SUMMARY APPEALS

Traffic and Non-Traffic  
Citation Appeals  
License Suspension Appeals  
Appeals from Local  
and State Agencies







# HIGHLIGHTS AND ACCOMPLISHMENTS



**L-R:** JCJC Chairman Judge Arthur E. Grim, Judge Kathryn M. Hens-Greco, Administrative Judge Kim Berkeley Clark, and retired JCJC Executive Director Jim E. Anderson celebrate Judge Hens-Greco being honored with the Outstanding Leadership Award at the Commission's annual conference in November 2014.

## JUDGE KATHRYN M. HENS-GRECO AWARDED JCJC OUTSTANDING LEADERSHIP AWARD

Judge Kathryn M. Hens-Greco was presented with the Outstanding Leadership Award by the Juvenile Court Judges' Commission (JCJC) at their annual conference in November 2014. She was honored with this award for serving as a catalyst for the adoption of JCJC's position regarding personal searches of dependent children in residential settings and for her involvement in the development of JCJC's position on legislation and recommendations to the Pennsylvania Supreme Court regarding the modification of Juvenile Court procedural rules. Judge Hens-Greco was a member of the JCJC from January 2011 to June 2014. ♦

## JUDGE WILLIAM F. WARD REAPPOINTED TO SERVE IN THE FIFTH JUDICIAL DISTRICT

Judge William F. Ward was nominated by Governor Tom Corbett and confirmed by the Pennsylvania Senate on June 30, 2014, to serve as a judicial officer of the Fifth Judicial District, County of Allegheny. President Judge Manning administered the Oath of Office in a public ceremony on July 3, 2014. This appointment follows Judge Ward's first appointment to the Common Pleas bench when he served from July 2012 to January 2014. Prior to his initial judicial appointment, Judge Ward was

employed as Governor Corbett's Chief of Staff and was formerly a partner at the law firm of Ward McGough. He also served as Chairman of the Board of the Pennsylvania Board of Probation and Parole, First Deputy Attorney General of Pennsylvania, Assistant United States Attorney for the Western District of Pennsylvania, and as a Law Clerk for United



Judge William F. Ward

States District Judge Louis Bechtle. Judge Ward will serve again in the Family Division and will assist in presiding over Veterans Court in the Criminal Division. ♦

## JUVENILE PROBATION ADMINISTRATOR RUSSELL CARLINO IS AWARDED OFFICER OF THE YEAR

The Pittsburgh Chapter of the National Organization of Black Law Enforcement Executives (NOBLE) hosted its William H. Moore Awards and Scholarship Luncheon at the River's Casino on the North Shore in November 2014. Award nominees including Emma Rhodes, Vanessa German, retired Pennsylvania State Trooper David Giddens, Roxanne Plater, and Juvenile Probation Administrator Russell Carlino, who received the NOBLE Officer of the Year honor, were recognized for giving of themselves in service to others. Proceeds from the event benefitted NOBLE's scholarship and youth programs. ♦



**L-R:** Judge Kathryn M. Hens-Greco, Juvenile Probation Administrator Russell Carlino, Juvenile Probation Assistant Chiefs David Evrard and Kimberly Booth, and Family Division Administrative Judge Kim Berkeley Clark.

# HIGHLIGHTS AND ACCOMPLISHMENTS

## LEADERSHIP PITTSBURGH XXX

Judicial officers of the Fifth Judicial District again partnered with Leadership Pittsburgh, Inc. to sponsor *Justice and Human Services Day* for its LP Class XXX on March 6, 2014. The purpose of the daylong program was to educate dozens of Pittsburgh's most influential professionals, including CEOs, vice presidents, directors, and executives, on how the courts interface with Allegheny County human services agencies. In addition to visiting local human services and justice organizations and touring the Allegheny County Jail, participants met with Common Pleas Judges to discuss issues judicial officers encounter with individuals experiencing addictions, mental health needs, prior criminal histories, homelessness, unemployment, limited education, and unstable homes. Participants also observed court proceedings in the Family and Criminal Divisions of the Fifth Judicial District and were provided remarks by Common Pleas Court Judges on topics including dependency, divorce, custody, self-represented litigants, and Veterans and Mental Health Courts. ♦



## PRESIDENT JUDGE JEFFREY A. MANNING RECEIVES THE GOLDEN CROWBAR AWARD

On July 25, 2014, President Judge Jeffrey A. Manning received the Golden Crowbar Award from the Pennsylvania Conference of State Trial Judges. This prestigious award honors a jurist who has notably promoted and advanced the administration of justice and public opinion of the courts. Judge Manning was recognized for the case management initiatives he instituted while serving as Administrative Judge of the Criminal Division from 2009 through 2013, which include:

- The “Phoenix Court” docket, launched in collaboration with the Allegheny County District Attorney’s Office, to address non-violent and low-level offenses and fast tracks cases to final disposition;
- Implementation of the Expedited Disposition Plea program at Pittsburgh Municipal Court, where cases are adjudicated on the same day as the preliminary hearing;
- Development of the DUI Alternative to Jail program, which provides intensive and expeditious treatment and programming for DUI offenders at no cost to taxpayers; and
- Execution of the “one defendant/one judge” concept by assigning all cases involving a single defendant to the same judge.

In accepting the award, Judge Manning gave credit for these accomplishments to fellow jurists, court personnel, and criminal justice partners for diligently working to improve court operations through innovative measures. ♦





## FAMILY DIVISION IMPROVES SERVICES FOR SELF-REPRESENTED LITIGANTS

The Fifth Judicial District of Pennsylvania opened a Family Division Self-Help Center in January 2014 to assist litigants who choose to be self-represented or are unable to afford an attorney.

Consistent with the 2012-2015 Strategic Plan of the Fifth Judicial District, the Family Division Self-Help Center was developed to increase access to justice for all litigants, regardless of income. Services addressed at the Center include counseling and referrals to a legal advice clinic. Providing these services to meet the specific needs of individuals allows citizens to better understand court processes and outcomes and to navigate through court proceedings more efficiently and effectively. From January through December 2014, the Self-Help Center assisted 5,344 individuals.

Former Family Division Administrative Judge Kathryn M. Hens-Greco initiated the groundwork for the planning and implementation of this program. A working group consisting of managerial staff was convened to identify and study jurisdictions across the United States that have successful self-help centers including Orange County, California, Maricopa County, Arizona, and Hennepin County, Minnesota. The court also embarked on a collaborative effort internally and externally by engaging the expertise of community partners including



**Self-Help Center staff L-R:** Lisa Mykeloff, Supervisor; Donyell Nixon, Options Counselor; Julie Harris-Walker, Client Information Clerk; Genevieve Taylor, Client Information Clerk; Jillian Tyner, Options Counselor; **Seated:** Jesselyn Lupold, Options Counselor.

the Allegheny County Bar Association, Neighborhood Legal Services, the Women's Center and Shelter of Greater Pittsburgh, the University of Pittsburgh School of Law, and the Duquesne University School of Law in crafting this program. A long-range goal for the program includes litigant access to online services.

The Self-Help Center, located in the Family Law Center, 400 Ross Street, downtown Pittsburgh, is open to the public Monday through Friday, 8:00 a.m. to 3:00 p.m. ♦



# COURT ADMINISTRATION



CLAIRE C. CAPRISTO, ESQ.  
District Court Administrator



JOSEPH ASTURI  
Governmental Affairs Administrator



RUSSELL CARLINO  
Administrator, Juvenile Probation



SEAN F. COLLINS  
Chief Information Officer



CHRISTOPHER H. CONNORS, ESQ.  
Chief Deputy Court Administrator



LISA HERBERT, ESQ.  
Deputy Court Administrator



LINDSAY HILDENBRAND  
Director, Jury Operations



CHARLES KENNEDY  
Manager, Court Human Resources



RENEE KIMBALL, ESQ.  
Assistant Administrator, Self-Help  
Center



GARY J. KUSHNER  
Manager, Office of Court Reporters



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



RONALD J. SEYKO  
Director, Adult Probation



PAUL W. STEFANO, ESQ.  
Administrator, Orphans' Court  
Division



ANGHARAD GRIMES STOCK, ESQ.  
Deputy Court Administrator,  
Special Courts



CYNTHIA K. STOLTZ, ESQ.  
Administrator, Children's Court



# 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.

## GARY J. KUSHNER APPOINTED MANAGER OF THE OFFICE OF COURT REPORTERS

Gary J. Kushner was appointed Manager of the Office of Court Reporters in August 2014, a position involving the supervision of 39 employees, transcript production, and the Family Division Audio Room operations. He was formerly employed by the Fifth Judicial District as a court reporter from 1979 to 2007, when he left service to become the proprietor of Gary L. Kushner Reporting LLC, a freelance reporting business. Mr. Kushner earned an Associate Degree from Duff's Business Institute. ♦

## JOSEPH ASTURI – GOVERNMENTAL AFFAIRS ADMINISTRATOR

Joseph Asturi was appointed as Governmental Affairs Administrator for the Fifth Judicial District of Pennsylvania, effective February 24, 2014, after having served as the Court's Assistant Manager of Fiscal Affairs since July of 2013. Mr. Asturi acts as liaison with justice agencies, local government, and communities to support and promote judicial branch functions and communication. Through the Criminal Justice Advisory Board, he is working with law enforcement, legislators, prosecutors, and government officials in coordinating the development of evidence-based best practices that enhance conviction integrity.

Mr. Asturi brings valuable experience with legislative processes and knowledge of justice issues, having previously served as Government Relations Director for the Pennsylvania State Senate and Government Community Relations Director for the Allegheny County District Attorney. He received his Bachelor's Degree from the University of Pittsburgh and a Juris Doctorate from Duquesne University School of Law. ♦



L-R: Administrative Assistant Kathleen Patterson, Administrative Office Secretary Patricia Gallagher, Court Receptionist Lynda VanLandingham, Court Human Resources Manager Charles Kennedy, and Administrative Assistant Beverly Stoyanoff.

## RETIREMENT OF PATRICIA GALLAGHER

Patricia Gallagher retired in March 2014 after nearly 45 years of employment with the Fifth Judicial District of Pennsylvania. Following her service as secretary in the Court Administrative Office (1966) and subsequent service as Judicial Secretary to the late Judge Ralph H. Smith, Jr. (1967-1977), Ms. Gallagher worked on a part-time basis providing secretarial support to judicial officers and Court Human Resources (1979-1989). She resumed full-time employment in the Court Human Resources office in 1990 and assisted with processing family medical leaves of absence, payroll, the court's annual report, and a multitude of various projects assigned by the Human Resources manager until her retirement. Ms. Gallagher looks forward to continued participation in St. Sylvester Parish ministries as well as crocheting, sewing, reading, and travel. Thank you, Pat, for 45 years of dedicated service to the court. ♦



# ORPHANS' COURT JUDGES



HON. LAWRENCE J. O'TOOLE  
Administrative Judge



HON. KATHLEEN A. DURKIN



HON. JOHN A. ZOTTOLA



HON. FRANK J. LUCCHINO  
Senior Judge



HON. LESTER G. NAUHAUS  
Senior Judge





# 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.

The Orphans' Court Division implemented an electronic filing (e-filing) system in April 2014 for the exclusive processing of involuntary civil commitment cases. This system, developed in conjunction with the Department of Court Records, Wills/Orphans' Court Division, and the Allegheny County Office of Behavioral Health, is mandatory for all involuntary civil commitment proceedings. Petitions totaling 4,942 were filed in the Civil Commitment department in 2014, and hearings were held at more than 20 sites throughout Allegheny County. The e-filing system was designed to provide superior search, tracking, and monitoring functions compared to the paper-based system that it replaced. Unlike the e-filing system implemented in 2012 for the Orphans' Court Division which provides online public access to records, access to the Civil Commitment e-filing system is restricted to authorized users, approved by the court, to comply with the confidentiality provisions of the Mental Health Procedures Act.

## GUARDIANSHIP

### Incapacitated Persons

|  |       |
|--|-------|
| New Petitions Filed                                      | 312   |
| Emergency Guardians Appointed                            | 21    |
| Permanent Guardians Appointed                            | 162   |
| Successor Guardians Appointed                            | 19    |
| Guardians Discharged                                     | 1     |
| Petitions Withdrawn or Dismissed                         | 46    |
| Electro-Convulsive Therapy Petitions                     | 30    |
| Adjudication of Full Capacity                            | 1     |
| Petitions for Review                                     | 16    |
| Total Number of Hearings                                 | 266   |
| Bonds Approved   | 27    |
| Safe Deposit Box Inventories                             | 9     |
| Court-Appointed Counsel                                  | 54    |
| Independent Medical Evaluations                          | 8     |
| Petitions for Allowance/Ratification Presented           | 568   |
| Annual Report of Guardians Filed                         | 1,640 |
| Final Report of Guardians (Person/Estate) Filed          | 76    |
| New Petitions – Guardians of the Person of a Minor Filed | 17    |



L-R: Marie Zottola, Maureen Boyle, and Kathleen Flohr, judicial secretaries for Judges John A. Zottola, Kathleen A. Durkin, and Administrative Judge Lawrence J. O'Toole, respectively.



# ORPHANS' COURT DIVISION

## ESTATES

### Audit Hearing of Accounts

|  |     |
|--|-----|
| Accounts Filed by Executors, Administrators, Trustees, and Guardians | 417 |
| Small Estates (\$50,000 or less)                                     | 193 |
| Decrees of Distribution  | 411 |
| Contested Hearings*  | 416 |

*\*Hearings on claims of creditors against estates, exceptions to accounts, and questions of distribution involving appeals from decrees of the Department of Court Records Wills/Orphans' Court 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           | 18  |
| Pretrial Conferences Docketed         | 184 |
| Return Days Scheduled                 | 199 |

### Petitions Filed

|  |              |
|--|--------------|
| Additional Bonds   | 49           |
| Appointment of Guardians of the Person and Estates of Minors   | 17           |
| Approval of Settlement of Minors' Claims   | 356          |
| Lifting of Suspension of Distribution  | 28           |
| Sale of Real Estate  | 55           |
| Petitions for citation against fiduciaries to file accounts or to show cause why they should not be removed, etc.  | 98           |
| Petitions filed by Inheritance Tax Department and citations awarded against fiduciaries to show cause why they should not file transfer inheritance tax return and/or pay transfer inheritance tax due | 77           |
| Miscellaneous Petitions  | 790          |
| <b>Total Petitions Filed</b>   | <b>1,470</b> |

A Guardianship Department Examiner was hired in 2014 for the exclusive purpose of monitoring guardianship cases involving incapacitated persons. While the court has historically monitored the filing of inventories and annual reports, this responsibility was previously assigned to a staff member who also devoted a significant portion of his time to other areas of Orphans' Court practice. The increased emphasis on monitoring guardianship cases is the result of a recommendation made by the Pennsylvania Supreme Court Elder Law Task Force in its report released in November 2014 addressing the way Pennsylvania elders interact with the state court system and are protected in cases involving abuse, neglect, guardianship, conservatorship, and other matters. The Guardianship Examiner has been working with Court Information Systems to update a software program to generate more accurate reports reflecting whether guardians have filed inventories and annual reports timely. The updated software program will also generate reports indicating whether guardians have filed final reports of the person and final financial accounts that are due following the death of an incapacitated person. Cases where guardians and counsel of record are delinquent or noncompliant with statutory and/or court rules are reviewed by the Guardianship Department supervisor and, if necessary, are referred to a judge assigned to the Orphans' Court for further proceedings.

## CIVIL COMMITMENTS

### Hearings By Type Under Mental Health Procedures Act

|         |  |       |
|---------|--|-------|
| 303     | Up to 20 Days Civil Commitment                                   | 2,942 |
| 304-B   | Up to 90 Days Civil Commitment                                   | 1,240 |
| 304-C   | Up to 90 Days Civil Commitment                                   | 101   |
| 305     | Up to 180 Days Civil Commitment                                  | 525   |
| 306     | Transfer Civil Commitment – location transfer between facilities | 17    |
| 306-2   | Up to 180 Days Civil Commitment                                  | 16    |
| 304-G2  | Up to 365 Days Criminal Commitment                               | 1     |
| 402/405 | Up to 60 Days Criminal Commitment                                | 15    |
| 406     | Long Term Civil Commitment                                       | 1     |
| ECT     | Electro-Convulsive Therapy                                       | 36    |
| EXP     | Expungement  | 9     |
| REVW    | Judicial Review of Mental Health Review Officer Decision         | 39    |

|                       |              |
|-----------------------|--------------|
| <b>Total Hearings</b> | <b>4,942</b> |
|-----------------------|--------------|

The release of the Orphans' Court Division Practice Manual has been delayed to ensure that it accurately reflects the practices and procedures included in the proposed Supreme Court Orphans' Court Rules. Upon publication of the Supreme Court Orphans' Court Rules, anticipated in 2015, the ad hoc committee who drafted the Orphans' Court Practice Manual will reconvene to finalize its work. The draft manual details established practices in the Orphans' division (estates, adoptions, guardianships, civil commitments, motions) and outlines processes and procedures not contained in court rules. Sample forms and petitions and contact information for division departments are included. Upon final approval, the manual will be posted to the Fifth Judicial District website and will be distributed through the Probate and Trust Section of the Allegheny County Bar Association (ACBA). Together with the e-filing system and online access to court records, the manual will make the division more easily accessible to attorneys, pro se litigants, and the general public.

New cases involving 312 incapacitated persons were filed in 2014. As of December 31, 2014, there were over 3,438 active cases in the court's database. More than 500 petitions for allowance were filed and reviewed by Guardianship Department investigators in 2014 to ensure compliance with court rules and statutory requirements before presentation to the assigned judge.

Four hundred seventeen (417) accounts were filed by personal representatives, trustees, guardians and/or agents, and 193 small estate petitions were filed in 2014, a slight decline from 2013. All accounts and small estate petitions are reviewed by the court's audit examiners for accuracy and compliance with statutory and court rules. The decline in the number of small estate petitions filed was unanticipated, considering the statutory limit was increased from \$25,000 to \$50,000 in September 2013. A total of 968 estate settlement agreements were also reviewed by the audit examiners to ensure that no "at risk distributions" were made to minors and/or incapacitated persons and that their respective interests were protected in accordance with statute and court rules.

Overall filings in the Adoption Department increased by 2.6 percent, although search requests decreased by 8 percent.

## ADOPTIONS

|                          | Scheduled  | Decreed    | Withdrawn/<br>Dismissed |
|--------------------------|------------|------------|-------------------------|
| Adoptions                | 116        | 114        | 1                       |
| Confirm Consents         | 52         | 52         | 0                       |
| Involuntary Terminations | 45         | 41         | 1                       |
| <b>Total</b>             | <b>213</b> | <b>207</b> | <b>2</b>                |

|   |     |
|---|-----|
| Orders of Court<br>(Includes orders on petitions presented, continuances, amendments, allowance of service by publication, acceptance of jurisdiction, allowance of interrogatories, appointments of search agents) | 506 |
| Combined Decrees and Orders   | 714 |
| Persons Adopted   | 117 |
| Adult Adoptee Search Requests   | 71  |
| Orders Signed Appointing Search Agents  | 53  |
| Birthparent Requests for Searches   | 6   |
| Orders Signed on Petitions to Register Foreign Relative Adoption Decrees  | 18  |

## NON-RELATIVE ADOPTIONS

### Adoption Placement by Agencies

Includes these agencies:

Bethany Christian Services  
Genesis of Pittsburgh, Inc.  
The Children's Home of Pittsburgh  
Catholic Charities  
WV Bureau of C&F Services  
Cambria County C&F Services  
American Adoptions (Overland, KS)  
Arizona C&Y Services

### Adoption Placement by Non-Agencies

(Includes attorney, parent and all other)

## RELATIVE ADOPTIONS

|                              |            |
|------------------------------|------------|
| Step-Parent                  | 40         |
| Co-Parent                    | 10         |
| Other Relative               | 12         |
| U.S.A. Re-Adoptions          | 2          |
| <b>Total Persons Adopted</b> | <b>117</b> |



# CRIMINAL DIVISION JUDGES



HON. JEFFREY A. MANNING  
President Judge



HON. DAVID R. CASHMAN  
Administrative Judge



HON. KELLY EILEEN BIGLEY



HON. EDWARD J. BORKOWSKI



HON. THOMAS E. FLAHERTY



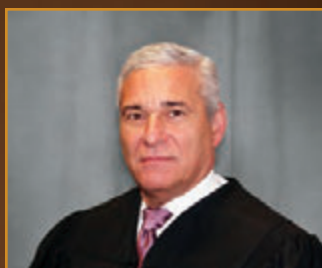
HON. PHILIP A. IGNELZI



HON. BETH A. LAZZARA



HON. DONALD E. MACHEN



HON. ANTHONY M. MARIANI



HON. DONNA JO MCDANIEL



HON. JILL E. RANGOS



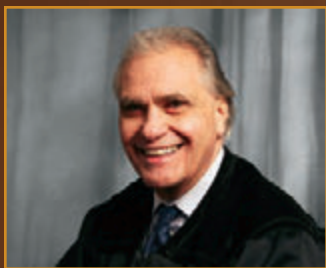
HON. KEVIN G. SASINOSKI



HON. RANDAL B. TODD



HON. JOSEPH K. WILLIAMS, III



HON. ROBERT C. GALLO  
Senior Judge

# CRIMINAL DIVISION

THE CRIMINAL DIVISION IS COMMITTED TO FURTHERING ALL FACETS OF THE CRIMINAL JUSTICE SYSTEM WITH PROFESSIONALISM, TIMELINESS, AND EFFICIENCY TO PROMOTE CONFIDENCE IN THE ADMINISTRATION OF JUSTICE BY THE IMPARTIAL AND EQUITABLE APPLICATION OF THE LAW TO PROTECT THE RIGHTS AND LIBERTIES GUARANTEED BY THE STATE AND FEDERAL CONSTITUTIONS.



Criminal Division Administrative Judge David R. Cashman congratulates Judge Donald E. Machen on his retirement from the bench.

Fourteen commissioned judges served under the direction of Judge David R. Cashman during his first year as Administrative Judge of the Criminal Division, Fifth Judicial District of Pennsylvania. Judge Lester G. Nauhaus was certified to sit as a senior judge, effective January 1, 2014, and continued to hear Drug Court cases. Senior Judge Robert C. Gallo continued to preside over Accelerated Rehabilitative Disposition (ARD) and summary appeal cases, and Judge Donald E. Machen retired from the bench, effective November 12, 2014.

In June 2014, Judge Anthony M. Mariani, working with the Pennsylvania Board of Probation and Parole, began presiding over reentry program cases. The reentry program provides intensive supervision for high risk offenders who have a history of substance abuse and 18 months or more of parole supervision remaining on their sentence. Judge Mariani and the case management team, including Parole Board staff, county drug and alcohol case managers, mental health services, and other agencies, develop an individualized plan geared specifically for each offender followed by monthly progress reviews.

Of the 27,142 cases filed in the Criminal Division in 2014, 17,218 were new cases, 6,897 were miscellaneous docket cases, including but not limited to, return of property, firearms license appeals, extradition issues, expungement petitions, writs of habeas corpus, motions to waive costs/assessments, and motions to preserve evidence, and 3,027 were summary appeal cases. A total of 19,131 cases were adjudicated in 2014, including 130 jury trials, 582 non-jury trials, and 13,182 pleas.

Cases processed through the Expedited Disposition Plea Program (EDP Court) resulted in 1,585 pleas being accepted on the scheduled preliminary hearing date. There were 4,404 cases adjudicated through the Phoenix Docket, a program designed to expedite the disposition of cases involving lower level offenses.

## PROBLEM-SOLVING COURTS

### Number of Program Participants at Close of 2014

|                         |              |
|-------------------------|--------------|
| DUI Court               | 233          |
| Drug Court              | 163          |
| Prostitution (PRIDE)    | 68           |
| Domestic Violence Court | 164          |
| Veterans Court          | 54           |
| Mental Health Court     | 210          |
| Sex Offender Court      | 200          |
| <b>TOTAL</b>            | <b>1,092</b> |



# CRIMINAL DIVISION



## CRIMINAL REPORT

### Filings and Dispositions

|  |               |
|--|---------------|
| Cases Pending at End of Year 2013              | 8,256         |
| New Cases Received in 2014                     | 17,218        |
| Cases Reopened During 2014                     | 3,091         |
| <b>Cases Available for Disposition in 2014</b> | <b>28,565</b> |

### Cases Disposed in 2014

|  |               |
|--|---------------|
| Transfers to Juvenile Court, Magisterial District Judge, Family Court, Administrative Closures, Consolidations, Remands to Lower Court | 46            |
| Dismissed, Withdrawn, Nolle Prossed and Deceased Defendants  | 1,081         |
| Satisfaction Agreements (Rule 586)   | 137           |
| Speedy Trial (Rule 600)  | 2             |
| Diversionary Programs/<br>Accelerated Rehabilitative Disposition<br>(ARD-new cases only)   | 2,810         |
| Nolo Contendere  | 145           |
| Guilty Plea  | 13,182        |
| Non-Jury Trial   | 582           |
| Jury Trial   | 130           |
| <b>Total Cases Disposed 2014</b>   | <b>18,115</b> |
| Cases Returned to Inactive During 2014   | 3,137         |
| <b>Age of Pending Cases (Days)</b>   |               |
| 1 to 180   | 5,646         |
| 181 to 360   | 1,262         |
| 361 to 719   | 350           |
| 720 +  | 101           |
| <b>Total Pending Cases at the Close of 2014</b>  | <b>7,359</b>  |

With the success of expedited dockets and the high level of diligence among judges assigned to the Criminal Division, significant progress has been made in the reduction of time from case filing to disposition. As of November 2014, 61 percent of criminal cases were being adjudicated within 180 days.

In 2014, 2,810 Accelerated Rehabilitative Disposition (ARD) and 3,036 summary appeal cases were adjudicated by Senior Judge Robert C. Gallo. Criminal Division's ongoing effort to address the timely adjudication of cases that were removed from ARD has shown considerable improvement. In 2010, the time between ARD revocation and a final disposition averaged 169 days. There was a slight improvement in 2011 to 119 days, and in 2012 to 96 days. Upon the assignment of Judge Kelly E. Bigley in 2013 to oversee this category of cases, time to disposition fell to 60 days in 2013 and to 46 days in 2014.

Videoconferencing has become an increasingly valuable court resource. In 2014, 3,021 bond forfeiture and bail modification proceedings in motions court and 25 state Intermediate Punishment hearings with the State Correctional Institutions at Camp Hill and Muncy were conducted via videoconferencing. The number of Expedited Disposition Program pleas (EDP) conducted via videoconferencing at the Allegheny County Jail and Pittsburgh Municipal Court totaled 1,585. Mental Health Court held 122 review hearings by videoconferencing. This alternative continues to reduce the cost of transporting defendants to court by the Allegheny County Sheriff's Office and results in more efficient case processing.

A Veterans Court graduation ceremony was held on November 6, 2014 in the Allegheny County Courthouse Gold Room to recognize 24 graduates, the largest group to successfully complete the program since its inception in 2009. Judges John A. Zottola and William F. Ward presided over the ceremony and recognized the hard work and the ability of graduates to overcome barriers and challenges in completing the program. Retired Command Sergeant Major Bart E. Womack, who served in the U.S. Army for over 29 years, was the keynote speaker and discussed his military career, work in the community, and his experience when he observed Veterans Court for the first time. After retiring from active duty, Sergeant Major Womack became a Military Technical Advisor for films and television. He spent 18 months in Afghanistan as part of the Africa Contingency Operation, mentored Army ROTC Cadets, worked in the *Saddles for Soldiers* program, and released his first book, *Embedded Enemy* in 2013.

Veterans Court is the product of the court's innovative approach to addressing the needs of veterans involved in the criminal justice system. In conjunction with local organizations, including the Duquesne University School of Law-Veterans Clinic, Veterans Court strives to provide program participants with needed support. The Criminal Division continually reviews operations to better serve a greater number of veterans and has piloted a screening process to identify program-eligible veterans as early as the preliminary arraignment stage. This process ensures timely referral to services and offers the best opportunity for successful completion of the Veterans Court program.

The Allegheny County Bar Association partnered with Leadership Pittsburgh to sponsor *Justice and Human Services Day* on March 6, 2014. The purpose of this program is to educate community leaders on how the Fifth Judicial District of Pennsylvania interacts with the Allegheny County Department of Human Services and social service agencies. Following remarks made by President Judge Jeffrey A. Manning, approximately 40 participants observed proceedings in the courtrooms of Administrative Judge David R. Cashman and Judges Edward J. Borkowski, Beth A. Lazzara, Lester G. Nauhaus, Kevin G. Sasinoski, and John A. Zottola.

The Allegheny County Jail Collaborative, a partnership involving the President Judge of the Fifth Judicial District, the Allegheny County Jail Warden, and the directors of the Allegheny County Health Department and Department of Human Services, was the recipient of the 2014 Governor's Award for Local Government Excellence – Information Technology category. This prestigious award was presented to the Collaborative for its innovative development of an Information Technology application and for successfully implementing the program which improved communications between the Allegheny County Jail, the Allegheny County Department of Human Services, and the Fifth Judicial District. Eight local government leaders and eight communities across Pennsylvania were recognized at the 18th Annual Governor's Service Awards ceremony held in Harrisburg on April 15, 2014.



**L-R:** C. Champ Holman, Allegheny County Deputy Secretary of Community Affairs and Department of Community and Economic Development; Mary Esther VanShura, Allegheny County Director of Community Affairs; Latoya Warren, Allegheny County Jail Deputy Warden; Stephen Pilarski, Allegheny County Deputy County Manager; Thomas McCaffrey, Criminal Court Administrator; Randolph Brockington, Allegheny County Deputy Director Department of Human Services; and Jim Cawley, Lt. Governor of Pennsylvania.



# CRIMINAL DIVISION

Allegheny County Executive Rich Fitzgerald and members of the Jail Collaborative released a favorable report detailing Allegheny County's reentry programs at a press conference on October 6, 2014. The report was issued as a result of a study conducted by the Urban Institute Justice Policy Center that examined local reentry programs initiated by the Jail Collaborative in 2010 and 2011. With the assistance of case managers, these programs are coordinated to provide inmates with transition plans, access to educational opportunities, job readiness programs, and housing options prior to their release into the community.

A special meeting of the Allegheny County Jail Collaborative Civic Advisory Board was held on October 24, 2014, at which an overview of the Urban Institute's findings and recommendations regarding the Jail Collaborative reentry programs was presented. Representatives from the Fifth Judicial District, local universities, community and religious organizations, and city, county, and state officials attended. The results of the study conducted by the Urban Institute show that Allegheny County's reentry programs are successful in reducing recidivism.

In 2014, 19,991 cases were scheduled for Formal Arraignment, 800 warrants were issued for defendants who failed to appear for Formal Arraignment, and over 313 arrests were made at the time of Formal Arraignment due to outstanding warrants. More than 700 defendants who had not yet been fingerprinted were directed to the fingerprint identification unit immediately following Formal Arraignment eliminating procedural delays. The Court Arraignment Office is available for business one-half hour earlier than the generally prescribed hours of court and maintains extended hours of operation and assists defendants and attorneys throughout the lunch period to better serve the public.

The Criminal Division sponsored continuing legal education seminars in 2014 relating to two of the Fifth Judicial District's seven problem-solving courts. An *Overview of Drug Court*, held in January, provided information on the Drug Court referral process, assessment, and treatment programming. Opening remarks were given by Judge Lester G. Nauhaus, and presenters included Rachel Newman, Assistant District Attorney; Rebecca Hudock, Public Defender's Office; Shannon DeMino, Justice Related Services; and Lauren Pegher, Adult Probation. The second seminar, *Mental Health Court Overview*, took place in early May and was presented by Judge Beth A. Lazzara and Mental Health Court team members Debra Barnisin, Assistant District Attorney; Richard Romanko, Public Defender's Office;

Charlene Christmas and Timothy Ban, Adult Probation; and Anthony Duckett, David Negron, and Dyan Larkins of Justice Related Services. The seminar provided a synopsis of the Mental Health Court program, the eligibility and screening process, participant requirements, community supervision, and ethical considerations.

On April 11, 2014, 16 Criminal Division employees were recognized for multiple years of employment with the court: Ronald Bruni, Patricia Ferguson, Mia Garzony, Cynthia Gottron, Harry Lorenzi, Carrie O'Connell (5 years); Sherry Borcik, John Halloran, Julie Nowak, Gary Ross (15 years); Pamela Farrell (20 years); Denise Colberg, Keith Duffy (30+ years); Jean Toner, Alberta Stoughton (41 years); and Margaret Cangelier (43 years).

Alberta Stoughton retired in September 2014 after nearly 41 years of employment with the Fifth Judicial District. She began her career with the court as a judicial secretary for Judge Samuel Strauss and most recently served as judicial secretary for Judge Donna Jo McDaniel for the past 20 years.



Judge Donna Jo McDaniel congratulates Alberta Stoughton on her retirement in September 2014 following nearly 41 years of service with the Fifth Judicial District of PA.

## CASES SENTENCED IN 2014 – Consolidated by Most Serious Offense

| OFFENSES                               | CONFINEMENT |       |        | PROBATION | INTERMEDIATE PUNISHMENT PROGRAM |       | RESTORATIVE SANCTIONS – OTHER |
|--|-------------|-------|--------|-----------|---------------------------------|-------|-------------------------------|
|  | Cases       | State | County |           | County                          | State |                               |
| Crimes Against Persons                 |             |       |        |           |                                 |       |                               |
| Criminal Homicide                      | 45          | 40    | 3      | 2         | 0                               | 0     | 0                             |
| Homicide by Vehicle                    | 6           | 5     | 1      | 0         | 0                               | 0     | 0                             |
| Attempted Homicide                     | 14          | 11    | 0      | 0         | 0                               | 0     | 3                             |
| Robbery                                | 174         | 78    | 52     | 27        | 0                               | 0     | 17                            |
| Kidnapping                             | 3           | 2     | 1      | 0         | 0                               | 0     | 0                             |
| Rape                                   | 13          | 12    | 0      | 0         | 0                               | 0     | 1                             |
| Involuntary Deviate Sexual Intercourse | 15          | 14    | 1      | 0         | 0                               | 0     | 0                             |
| Indecent Assault                       | 39          | 6     | 13     | 19        | 0                               | 0     | 1                             |
| Other Sexual Offenses                  | 4           | 0     | 1      | 3         | 0                               | 0     | 0                             |
| Sex Offender Registry                  | 46          | 12    | 14     | 19        | 0                               | 0     | 1                             |
| Aggravated Assault                     | 170         | 56    | 32     | 38        | 0                               | 6     | 38                            |
| Sexual Assault                         | 11          | 5     | 1      | 5         | 0                               | 0     | 0                             |
| Recklessly Endangering Another Person  | 83          | 3     | 10     | 58        | 0                               | 1     | 11                            |
| Simple Assault                         | 576         | 3     | 73     | 458       | 0                               | 16    | 26                            |
| Corruption of Minors                   | 24          | 1     | 0      | 18        | 0                               | 2     | 3                             |
| Crimes Against Property                |             |       |        |           |                                 |       |                               |
| Arson                                  | 14          | 2     | 8      | 3         | 0                               | 0     | 1                             |
| Burglary                               | 236         | 51    | 67     | 68        | 1                               | 31    | 18                            |
| Forgery                                | 72          | 0     | 7      | 58        | 0                               | 5     | 2                             |
| Theft                                  | 912         | 23    | 131    | 658       | 1                               | 33    | 66                            |
| Retail Theft                           | 824         | 6     | 102    | 697       | 0                               | 8     | 11                            |
| Identity Theft                         | 11          | 2     | 1      | 6         | 0                               | 0     | 2                             |
| Bad Checks                             | 32          | 0     | 0      | 32        | 0                               | 0     | 0                             |
| Drug and Alcohol Offenses              |             |       |        |           |                                 |       |                               |
| DUI-1st Offense                        | 978         | 5     | 381    | 135       | 0                               | 457   | 0                             |
| DUI-2nd Offense                        | 875         | 4     | 65     | 0         | 0                               | 806   | 0                             |
| DUI-3rd Offense                        | 176         | 31    | 15     | 0         | 2                               | 128   | 0                             |
| DUI-4th or Subsequent Offense          | 5           | 5     | 0      | 0         | 0                               | 0     | 0                             |
| DUI §3731                              | 3           | 0     | 3      | 0         | 0                               | 0     | 0                             |
| Boating Under The Influence            | 2           | 0     | 1      | 0         | 0                               | 1     | 0                             |
| Narcotics                              | 2,848       | 174   | 297    | 2,173     | 3                               | 105   | 96                            |
| Crimes Against Public Peace            |             |       |        |           |                                 |       |                               |
| Criminal Mischief                      | 10          | 0     | 2      | 4         | 0                               | 1     | 3                             |
| Criminal Trespass                      | 124         | 5     | 41     | 59        | 0                               | 5     | 14                            |
| Prostitution                           | 9           | 0     | 0      | 5         | 0                               | 2     | 2                             |
| Miscellaneous Offenses                 |             |       |        |           |                                 |       |                               |
| Terroristic Threats                    | 120         | 2     | 23     | 85        | 0                               | 3     | 7                             |
| Risking a Catastrophe                  | 2           | 0     | 1      | 1         | 0                               | 0     | 0                             |
| Carjacking                             | 3           | 1     | 1      | 0         | 0                               | 0     | 1                             |
| Escape                                 | 111         | 8     | 50     | 45        | 0                               | 0     | 8                             |
| Stalking and Harassment                | 88          | 0     | 10     | 66        | 0                               | 0     | 12                            |
| Firearms Violations                    | 374         | 94    | 75     | 153       | 0                               | 18    | 34                            |
| WMD                                    | 1           | 0     | 0      | 1         | 0                               | 0     | 0                             |
| Other Felonies                         | 366         | 37    | 84     | 164       | 0                               | 23    | 58                            |
| Other Misdemeanors                     | 1,066       | 5     | 96     | 875       | 0                               | 14    | 76                            |
| Total                                  | 10,485      | 703   | 1,663  | 5,935     | 7                               | 1,665 | 512                           |



# 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.

The Adult Probation department furthers its mission through the institution of evidence-based supervision practices, including the use of data-driven decision making to create new policies and procedures that standardize case practice, continued partnerships with local and national groups, and improved monitoring and reporting of offender progress.

As of December 31, 2014, 27,319 offenders were being supervised or monitored by Adult Probation and Parole and Allegheny County Pretrial Services, 69 percent (18,879) of whom were supervised under probation, 16 percent (4,406) of whom were supervised under Accelerated Rehabilitative Disposition (ARD), 4 percent (1,137) under parole, 3 percent (926) under intermediate punishment, and 1 percent (257) under probation without verdict. Six percent (1,714) of offenders were pretrial and supervised through bail. Of these offenders, 20,397 resided in and were supervised in Allegheny County; the remaining 6,922 were sentenced in the Allegheny County Court of Common Pleas, but resided outside of the county. Fifty-six (56) percent (11,352) of offenders supervised in Allegheny County were 35 years of age or younger. Sixty-four (64) percent of all offenders supervised were considered medium or high risk (excluding offenders living outside of the county and supervised under ARD).

## DAY REPORTING CENTER PROGRAMS

## Number of Referrals

|                                    |              |
|------------------------------------|--------------|
| Drug and Alcohol Testing           | 1,396        |
| Drug and Alcohol Evaluation        | 745          |
| Employment Assistance              | 666          |
| Adult Education/GED Preparation    | 230          |
| Community Service                  | 167          |
| Batterers Intervention Programs    | 101          |
| Cognitive Behavioral Therapy       | 84           |
| Life Skills/New Mind, New Me Class | 70           |
| Emergency Housing Assistance       | 9            |
| <b>Total</b>                       | <b>3,468</b> |

In 2014, 2,597 medium- to high-risk offenders were referred to one of Adult Probation's two Day Reporting Centers (DRC). These centers provide a "one-stop shop" for offenders to complete court ordered stipulations and to address identified needs to prevent future recidivism. Services offered at the DRCs include drug and alcohol testing and evaluations, referrals to treatment, employment assistance, adult education/GED preparation, batterer intervention programs, cognitive behavioral therapy classes, and emergency housing assistance. All community service stipulations are coordinated and monitored by DRC staff, who continue to work with local communities to find appropriate service opportunities for offenders. Adult Probation also works in collaboration with the Allegheny County Department of Human Services and its partners, including Goodwill, Renewal, Pyramid, Three Rivers Youth, Women's Center and Shelter, and Community Human Services, to deliver services at the DRCs. Some offenders were referred to multiple programs.



Adult Probation received a grant in 2014 from the Pennsylvania Commission on Crime and Delinquency (PCCD) to fund a third DRC, scheduled to open in 2015. To assist with start-up costs, the Pittsburgh Foundation pledged additional resources, and the Allegheny County Department of Human Services agreed to provide social services to offenders. This DRC will be located in the Monongahela Valley area of Allegheny County and will serve approximately 1,000 medium- to high-risk offenders who may not be able to access DRCs located in the eastern and south side sections of the city of Pittsburgh. It will also serve as a reentry center for certain offenders, increasing their ability to fulfill court-ordered stipulations and to receive services needed to reduce the likelihood of re-offending and returning to jail.

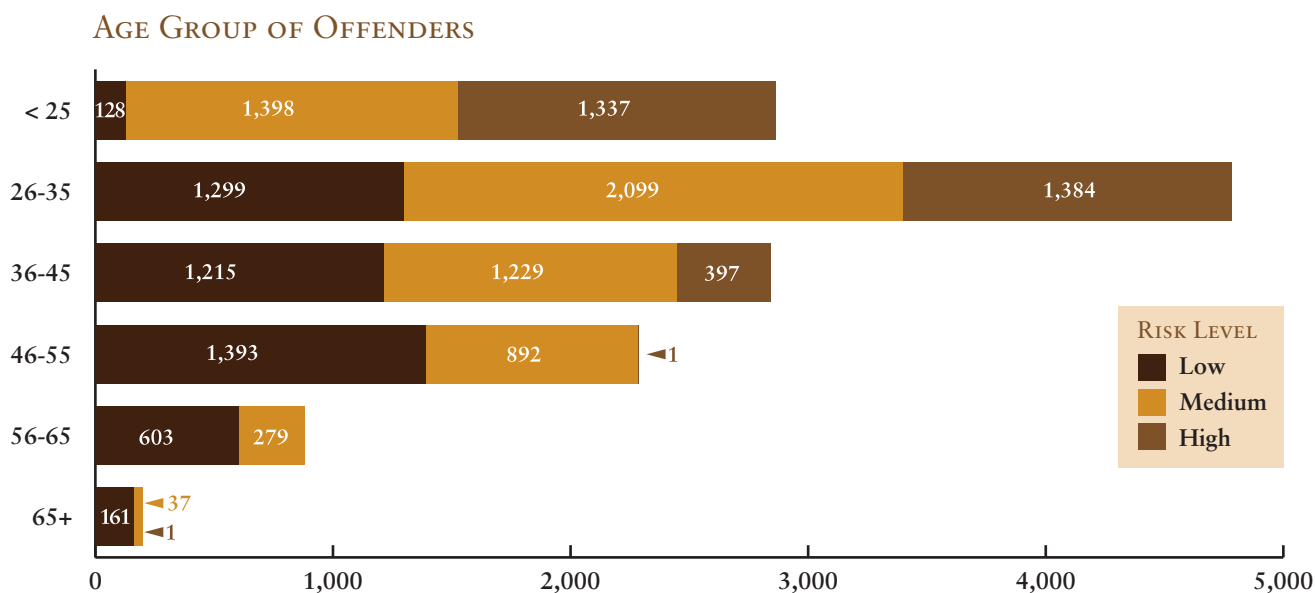
Allegheny County is in the process of creating a common risk and needs assessment tool for all offenders incarcerated in the Allegheny County Jail and for those supervised in the community. This tool will be validated using local data and independent research. In collaboration with the Allegheny County Department of Human Services, the Allegheny County Jail, Pretrial Services, Court Administration, and Adult Probation, 1,000 offenders were assessed in 2014. The assessment tool will be formally adopted in 2016.

In an effort to continually improve reporting methods regarding offenders under supervision, Adult Probation developed an electronic detainer report that lists offender information, detainer dates, and detainer location. An additional report provides updates to judges on offender progress with regard to community service requirements.



The Allegheny County Drug Court received accreditation by the Supreme Court of Pennsylvania in March 2014. L-R: President Judge Jeffrey A. Manning; Administrative Judge David R. Cashman; PA Supreme Court Justice Debra McCloskey Todd; Judge Lester G. Nauhaus; and Adult Probation Drug Court Coordinator Joseph Rose.

Adult Probation supervised over 1,000 offenders participating in the following problem-solving courts: Drug Court, DUI Court, Mental Health Court, Veterans Court, Domestic Violence Court, PRIDE Court, and Sex Offender Court. Allegheny County's Drug Court received accreditation by the Supreme Court of Pennsylvania in 2014 by demonstrating utilization of nationally recognized best practices, adopting the ten key components of drug courts, meeting requirements for documentation of program policies, and participating in required training. Pennsylvania Supreme Court Justice Debra McCloskey Todd presented the certificate of accreditation on March 25, 2014 to Judge Lester G. Nauhaus, who has presided over the program since its inception in 1998. The presentation took place during a graduation ceremony attended by 16 graduates and their families.



\* Figures above do not include offenders living outside Allegheny County and offenders under ARD supervision.



# CRIMINAL DIVISION – ADULT PROBATION



## OFFENDERS SUPERVISED AS OF 12/31/2014

|  |               |
|--|---------------|
| Probation                                    | 18,879        |
| Parole                                       | 1,137         |
| Intermediate Punishment                      | 926           |
| Accelerated Rehabilitative Disposition (ARD) | 4,406         |
| Probation without Verdict                    | 257           |
| Bail   | 1,714         |
| <b>TOTAL</b>                                 | <b>27,319</b> |

In 2014, 1,745 new offenders were sentenced to Electronic Monitoring (EM), with an average of 777 offenders supervised on EM per month. EM is an alternative to jail, and the number of offenders supervised each day on EM directly corresponds to jail bed days saved, with a total of 212,124 days saved in 2014. While under EM, 97 percent of offenders successfully completed their supervision with no new arrests.

On September 4, 2014, Adult Probation received a Community Partner Award from Gateway Rehabilitation Center (GRC), a private, nonprofit organization that provides a positive force in the prevention, treatment, education, and research of substance abuse and alcoholism. The award recognizes the collaborative relationship Adult Probation shares with GRC for providing drug and alcohol treatment to offenders. Adult Probation Director Ron Seyko accepted the award on behalf of the Fifth Judicial District and Adult Probation and Parole.

Adult Probation continued interaction with national research institutions and other national leaders in criminal justice. In 2014, Adult Probation agreed to validate a new tool created by the National Institute of Corrections and evaluated by the Urban Institute to aid in predicting employment retention for offenders under supervision. In October 2014, representatives from Adult Probation conducted a site visit, funded through the National Institute of Corrections, with the Office of Community Justice in Multnomah County, Oregon. The purpose of the visit was to learn about quality assurance measures instituted in Multnomah County, including an accountability and performance review model that has been credited with reducing crime. Adult Probation plans to implement similar measures in 2015 to better monitor evidence-based supervision practices and more quickly identify problems that arise.

In order to ensure officer safety, advance the use of evidence-based practices in the field, and monitor quality assurance in supervision practices, Adult Probation continually reviews and adapts its guidelines. A new policy was implemented to address the timeliness of probation officers' initial contact with offenders following sentencing, risk/needs assessments (and reassessments), and the creation of supervision plans. A second policy was issued mandating that all field-based probation officers must wear body armor when visiting offenders. Vests were purchased for all officers through grant funding.

| TYPE OF UNIT                 | Offenders Per Probation Officer |
|------------------------------|---------------------------------|
| Community Based Office Units | 96                              |
| High Impact Unit             | 105                             |
| Minimal Supervision Unit     | 1,101                           |
| DUI Unit                     | 166                             |
| Electronic Monitoring        | 43                              |
| Sex Offender Unit            | 85                              |
| Inter-State                  | 486                             |
| Inter-County                 | 506                             |
| State                        | 3,572                           |





# 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.

Pretrial Services' mission statement, formalized in 2008, still resonates true today. The goals of the department continue to align with Pretrial Services' mission, as we re-evaluate practices and procedures to ensure best practices are being employed.

In 2014, Pretrial Services management met with Fifth Judicial District Magisterial District Judges to examine bail setting best practices both locally and nationally. Nine district judges volunteered to pilot an expansion of risk assessments at the district court level. This pilot program is scheduled to be implemented in 2015.

The Pretrial Bail Unit performed 17,270 new investigations at the Allegheny County Jail by conducting interviews with every individual brought into the jail on new charges or bench warrants. The information obtained during the interview provides the arraiging authority the ability to make informed pretrial release decisions. All investigations are conducted face-to-face supported by Pretrial Services' case management system and validated risk-assessment tool.

## PRETRIAL BAIL/COURT UNITS

|  |        |
|--|--------|
| New Investigations Completed<br>(Risk Assessments) | 17,270 |
| Bail Modifications Recommended                     | 1,288  |
| Walk-in Reinstatements                             | 841    |

## PRETRIAL SUPERVISION UNIT

|   |          |
|---|----------|
| Defendants Supervised                               | 5,742    |
| Defendants Placed on Pretrial Electronic Monitoring | 143      |
| Pretrial Electronic Monitoring Fees Collected       | \$87,296 |

The Pretrial Bail Unit recommended 1,288 bond modifications in 2014, a 30 percent increase over the 990 presented in 2013, and presented 2,899 bond forfeitures in motions court at the Common Pleas level. The American Bar Association and the National Association of Pretrial Service Agencies advocate for programs to monitor jail population and to revisit recommendations if a defendant remains detained and/or if there is a change in circumstances. Following a status review of all defendants housed in the jail specifically due to unpaid bond, the Bail Unit recommended bond modifications for 283 defendants subsequent to preliminary hearing. This resulted in bond modification and release from jail for 247 defendants at the pretrial stage. The Bail Unit continued to address "court holds" with jail staff. "Court holds" are those matters consisting of probation, parole, or court ordered detainers preventing release to alternative housing or inpatient treatment facilities.

Work continued on the Court Reminder Notification System (RNS) project, which is supported by funding from the Pennsylvania Commission on Crime and Delinquency. The RNS is an information technology application that sends electronic notifications/reminders of court dates to defendants with the goal of reducing incidents of failure to appear. In 2014, electronic reminders/notifications of formal arraignment dates were sent to defendants. It is anticipated that by the end of 2015, reminders will be sent to all defendants for all types of hearings. Reducing the failure to appear rate will decrease incarceration costs, improve efficiency, and ensure more successful outcomes for defendants.



**GEARLDEAN YOUNG** retired on July 25, 2014 following nearly 24 years of dedicated service to the Fifth Judicial District. She began her career in September 1990 as a caseworker and was promoted to Manager of the Behavior Assessment Unit in August 2004, where she served until her retirement. Pretrial Services staff gathered to celebrate with Ms. Young, who is seated in the first row, fifth from the left.

The Behavior Assessment Unit (BAU) continued to operate effectively and expediently in 2014, with BAU psychiatrists completing 2,010 court-ordered competency evaluations, a 19 percent increase from 2013, and recommending 113 involuntary commitments, 106 of which were committed to Torrance State Hospital. Two hundred six (206) social histories associated with these mental health evaluations were also completed by BAU.

Of the 2,810 defendants admitted to the first offender Accelerated Rehabilitation Disposition (ARD) program in 2014, 2,404 were charged with DUI, and 406 were charged with various other non-violent offenses. Working closely with the Allegheny County District Attorney's Office, the disposition of these cases has been a smooth and timely process. Defendants in 93 percent of ARD cases successfully completed the program resulting in a dismissal and expungement of charges. Violations, including technical and new convictions, submitted to the court in 2014 totaled 1,335. A total of 369 ARD probation cases were closed early and the expungement process initiated due to early successful completion of all court-ordered stipulations. In addition, defendants participating in the ARD program completed 37,188 hours of community service throughout Allegheny County.

#### **MARSHA HINTON**

**September 18, 1949 –  
February 18, 2014**

Marsha Hinton's employment with the court began in June 2003 when she was appointed the Fifth Judicial District's first Population Control Coordinator (PCC). Her primary responsibilities as PCC involved a daily review and comparison of Pretrial Services risk assessment results of incarcerated defendants and bond amounts set by magisterial district judges to determine if a request for bond modification was warranted. Additional duties included assisting in the transition of inmates from jail to alternative housing, interviewing individuals to be placed on Electronic Monitoring, and supervision of Pretrial Service investigators. Ms. Hinton, who was a valuable member of the court's professional staff, is greatly missed.





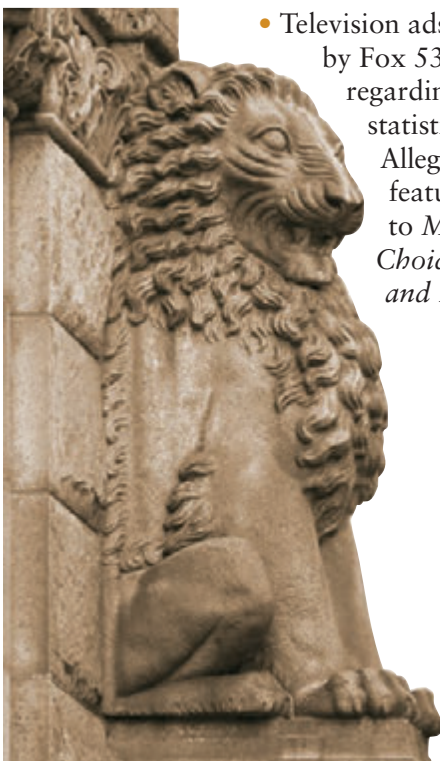
# CRIMINAL DIVISION – PRETRIAL SERVICES

## BOND FORFEITURES PRESENTED IN MOTIONS COURT

|      | Preliminary<br>Hearing | Formal<br>Arraignment | Pretrial<br>Conference | Trial | Sentencing | ARD | Total |
|------|------------------------|-----------------------|------------------------|-------|------------|-----|-------|
| 2014 | 983                    | 729                   | 334                    | 767   | 3          | 83  | 2,899 |
| 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 |

Pretrial Services, through its Alcohol Highway Safety Program (AHSP), continued to expand its preventative education efforts in Allegheny County regarding the dangers of alcohol and drinking and driving. This year's events featured:

- A visit by the Safety Bug to Riverview and North Allegheny High Schools;
- Presentations in conjunction with Road Radio, who conducts assemblies using loud pop music, lighting effects, and a news broadcast to educate students about the dangers of drinking and driving, at Deer Lakes, Gateway, and Pine-Richland Middle Schools;
- A visit by the DUI Safety Simulator, which mimics driving a vehicle while impaired and in inclement weather, to Thomas Jefferson High School;
- Radio broadcasts on 102.5 WDVE prior to Pittsburgh Steeler pre-games and on 105.9 The X, announcing values to *Make the Right Choice, Don't Drink and Drive*; and



- Television ads sponsored by Fox 53 and WTAE regarding DUI crash statistics specific to Allegheny County and featuring a message to *Make the Right Choice, Don't Drink and Drive*.

Additionally,

- The AHSP is responsible for the completion of court-ordered evaluations of DUI offenders and for managing DUI education programs mandated by the Department of Transportation.
- The AHSP completed 4,886 Court Reporting Network (CRN) evaluations in 2014.
- In 2014, the AHSP operated the largest and most successful, single-vendor Ignition Interlock operation in the state of Pennsylvania, by total number of active clients, involving the installation of 545 interlock devices throughout the year, averaging 46 installations per month. Quality assurance reports by the PA DUI Association, who oversees the Ignition Interlock Program on behalf of PennDot, evidence Allegheny County's successful program based on limited customer complaints, random site visits, and timely/accurate reports submitted to the PA DUI Association. Interlock devices aided program participants in driving in excess of one million sober miles. Since 2004, not one individual in Allegheny County has been charged with DUI while operating a vehicle with an Ignition Interlock device installed.
- The AHSP, in conjunction with Allegheny County Adult Probation and Parole, continued to operate the DUI Alternative to Jail Program for first-conviction DUI offenders. This program, supported by user fees, is intended to reduce recidivism by providing DUI offenders four days of intensive treatment and programming through cognitive approaches focused on changing behavior. Four hundred fifty (450) participants successfully completed the program in 2014.





# FAMILY DIVISION JUDGES



HON. KIM BERKELEY CLARK  
Administrative Judge



HON. ALEXANDER P. BICKET



HON. CATHLEEN BUBASH



HON. ELEANOR L. BUSH



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. JOHN T. MCVAY, JR.



HON. KATHLEEN R. MULLIGAN



HON. JENNIFER SATLER



HON. MARK V. TRANQUILLI



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

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.

On March 31, 2014, as a result of a cross-system partnership, Allegheny County officially became a launch site for Georgetown University's Center for Juvenile Justice Reform's (CJJR) Crossover Youth Practice Model (CYPM). The goal of the CYPM is to improve outcomes for youth who have experienced maltreatment, engaged in delinquency, and are known to both the juvenile justice and child welfare systems. Research demonstrates that youth who have been abused or neglected are at higher risk of entering the juvenile justice system.

CJJR, in partnership with the Casey Family Programs, an operating foundation focused on safely reducing the need for foster care and building Communities of Hope for children and families across America, will implement the CYPM in partnership with Allegheny County's juvenile justice, child welfare, and family court systems. "Our goal is to safely reconnect youth who have been maltreated with their families and to reduce the likelihood that they penetrate the delinquency system," said Judge Guido A. DeAngelis, who is leading the local effort. "Working with CJJR will improve communications between regional agencies and allow us to better identify and serve this population."

A coalition of community leaders will provide guidance and support to sustain the efforts of an implementation team, who will work toward the goal of promoting best practices for crossover youth by employing the practice model. Following overwhelming community stakeholder response in support of the initiative, a team of professionals was invited to attend the Georgetown University Center for Juvenile Justice Reform Fellowship Program to develop expertise and to propose a Capstone Project, which will be the signature plan of the Allegheny County cross-over youth model. The fellow's team successfully completed program requirements in 2014, and Allegheny County was awarded grants from the Casey Family Programs and R.K. Mellon Foundations to assist in implementing the CYPM.



**Standing L-R:** Tiffany Sizemore-Thompson, Esq., Deputy Director Public Defender's Office; Judge Guido A. DeAngelis; Jacki Hoover, Asst. Deputy Director CYF; and Kristen Decomo-Jacobs, Multi-System Specialist DHS. **Seated L-R:** David Evrard, Asst. Chief Juvenile Probation Officer and Cynthia K. Stoltz, Esq., Administrator Children's Court. **Missing from photo:** Kerry O'Donnell, DHS.

The CYPM will specifically help to reduce the number of youth placed in out-of-home care, the use of congregate care, and the disproportionate number of youth of color in the crossover population. CJJR will train and provide onsite technical assistance to Allegheny County staff and stakeholders. Since 2010, the CYPM has improved the lives of youth in more than 20 states and 60 counties. CJJR educates and supports leaders in the juvenile justice and related systems of care and seeks to complement the juvenile justice reform work being done across the United States by providing a multi-systems perspective and set of resources in support of this work.



# 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.

Under the leadership of Administrative Judge Kim Berkeley Clark, the Family Division's 17 commissioned judges and three senior judges continued to address the large volume of Family Division-Adult Section cases in a cost-effective, efficient, and impartial manner. The judges were assisted in this process via local monthly training, coordinated and implemented by judges and administrative staff, and through training offered to judges by the Pennsylvania Conference of State Trial Judges, the National Association of Women Judges, and the National Center of Juvenile and Family Court Judges, among others.

The Adult Section continued to refine and enhance the one judge/one family concept under which the court has operated since 2010. Division judges are now assigned to hear either "adult" (divorce, equitable distribution, custody, support) or "juvenile" (dependency, delinquency, and adoption) matters. Protection From Abuse cases are adjudicated by all judges assigned to the division. While judges specialize in defined areas, they also preside over all issues affecting a particular family in their caseload.

The establishment and enforcement of child and spousal support and alimony pendente-lite constitutes a substantial percentage of the Adult Section workload. In 2014, 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, many of which involve enhancing litigant access to the court.

One example of upgrading court access was the opening of a second community-based regional office in the Penn Hills area of Allegheny County in March 2014. Litigants who wish to file for support, modify an existing order, or obtain information about their case may do so at the Penn Hills office located at 12000 Frankstown Road or at the South Hills office located at 250 Mt. Lebanon Boulevard. Support conferences and hearings are also conducted at the Penn Hills and South Hills offices. With a caseload size consisting of approximately 4,600 cases each, regional offices operate utilizing a specific caseload assignment management system which involves a domestic relations officer and one clerical support staff who are responsible for the establishment, modification, and enforcement of all orders associated with their caseload. This concept enables staff to provide personalized and efficient service in the establishment and collection of child support and has been effective in bringing about litigant satisfaction while improving the performance of the child support function of the court on all measurable statistics.

Family Adult continued to fine-tune procedures which enable litigants to file support complaints and modification petitions via U.S. Mail. This process, implemented in 2012, has improved customer service by providing the flexibility to initiate a case without having to appear in court. Forty-nine (49) mail-in support complaints and 271 modification petitions were processed in 2014.

## CHILD SUPPORT ENFORCEMENT FEDERAL PERFORMANCE MEASURES 2014

|                         |      |
|-------------------------|------|
| Support Order           | 90%  |
| Paternity Establishment | 110% |
| Current Payment         | 84%  |
| Arrearage Payment       | 83%  |
| Cost Effectiveness      | 100% |

In addition to accepting pleadings by mail, Family Adult, in conjunction with the Bureau of Child Support, initiated an electronic submission process in September 2014. Litigants and attorneys may now submit support complaints and modification petitions via an electronic process available through the Pennsylvania Child Support website. The pleadings are reviewed by court personnel for sufficiency of information and then “filed” for processing. Despite being recently implemented in the last quarter of 2014, the court has processed 87 support complaints and 138 modification petitions using this electronic format.

The Adult Section maintains a Client Services Call Center staffed by information specialists who answer questions and provide information by telephone, U.S. Mail, and email to litigants and attorneys. Additionally, the Adult Section maintains a screening section to answer questions, address concerns, assist with filing modification petitions, and provide information to litigants. During 2014, the screening unit assisted 7,569 self-represented litigants and 2,237 attorneys on a “walk-in” basis, representing service on over 12,375 cases. In addition, evening hours are offered Wednesdays allowing parents who work during the day to address support issues without having to be absent from work. In 2014, 14,857 people were served during Wednesday evening hours.

The court continued to operate its pro-se motions/legal assistance clinic program in conjunction with the Self-Help Center, which opened in 2014. Income eligible participants are able to obtain assistance from law students from the University of Pittsburgh and Duquesne University Schools of Law and Allegheny County Bar Association pro bono attorneys in the preparation of motions and Family Division pleadings.

The Adult Section continued to implement a team approach to case management. Domestic Relations Officers and clerical support staff are responsible for the establishment, modification, and enforcement of all orders within the team caseload. This case ownership principle resulted in enhanced performance in entering fair, reasonable, and collectable support orders, which in turn results in better rates of collection. In addition, overscheduling on the docket has been eliminated, client wait times have been reduced, and individual team members, having complete knowledge of a case, provide better client service.



Phone Power is an ongoing project through which delinquent obligors are contacted during evening hours. In 2014, 5,364 calls resulted in almost \$80,000 in additional support monies being collected and in new wage attachments being generated to ensure ongoing regular collection of support directly from employers. Additionally, early intervention calls are made to defendants shortly after their court appearances reminding them to make the first payment towards newly entered support obligations in order to avoid automated enforcement remedies.

The Adult Section’s seven full-time hearing officers conducted 4,342 support hearings in 2014, some of which were conducted via videoconferencing with litigants and/or their attorneys appearing in the Family Law Center, the Penn Hills, or the South Hills regional office.

Family Adult continued to refine its employment search program, which aids delinquent obligors in finding and maintaining steady employment in order to meet support obligations. Court staff continues to research, contact, and add employers and employment search agencies to its list of community partners, many whom offer parenting classes, drug/alcohol counseling, vocational counseling, and educational programs. During 2014, the employment unit assisted over 2,000 individuals in exploring occupation and training opportunities in the downtown campus alone. As 2014 came to a close, over 280 individuals in the program had been steadily employed, while follow-up services were provided to almost 1,000 obligors.



# FAMILY DIVISION – ADULT SECTION



The Adult Section played a significant role in contributing to Pennsylvania finishing first among the 56 states and territories in the five federal performance measurements of the Child Support Enforcement Program and exceeded the state-wide average in four of the five categories. By exceeding 80 percent in all five performance benchmarks, the

district received the maximum amount of possible performance-based federal funding. Accomplishments included the collection and disbursement of nearly \$130 million in support, and a one year reduction in the amount of aggregate arrears owed by almost \$6.7 million. In recognition of these achievements, Governor Tom Corbett proclaimed August 2014 as “Child Support Awareness Month,” recognizing the valuable contributions made by child support professionals in ensuring financial support for children across the Commonwealth. Additionally, Allegheny County Executive Rich Fitzgerald acknowledged the accomplishments of the Adult Section by declaring August “Child Support Awareness Month” in Allegheny County.



Geraldine M. Redic, Esq., Deputy Administrator of the Family Division-Adult Section

Geraldine M. Redic, Esq., Deputy Administrator of the Family Division-Adult Section, was elected 24th President of the Domestic Relations Association of Pennsylvania, effective September 11, 2014. Comprised of over 1,400 professionals representing all 67 county Domestic Relations Sections of Family Courts in Pennsylvania and the state Bureau of Child

Support Enforcement, this organization specializes in and is dedicated to improving child support services in Pennsylvania. Ms. Redic began her career with the Fifth Judicial District in 1998 as a judicial law clerk and was promoted to the position of Deputy Administrator of the Family Division-Adult Section in 2001 where she continues to serve.

The Adult Section is also responsible for the administration and adjudication of divorce and equitable distribution actions filed in Allegheny County. In 2014, 2,667 divorce cases were filed, 86 less than in 2013. Two thousand four hundred forty-one (2,441) divorce cases were disposed of with the entry of divorce decrees. Family Division judges also conciliated 579 equitable distribution matters and conducted equitable distribution hearings in 42 cases. Two Masters assigned to hear equitable distribution matters conducted 355 hearings in 2014.



Allegheny County Executive Rich Fitzgerald proclaimed August 2014 as “Child Support Awareness Month” in recognition of the achievements of Family Adult staff in the collection and disbursement of nearly \$130 million in child support monies. **L-R:** Domestic Relations Officer Melissa Payne, Case Management Clerk Christina Evans, and Supervisor Candace Varas participated in the proclamation ceremony held on August 1, 2014 at the Family Law Center courtyard.

## FAMILY DIVISION – CHILD SUPPORT

### Support – Original Filings

|                           | 2013  | 2014  |
|---------------------------|-------|-------|
| Complaints Added (PACSES) | 8,529 | 9,037 |

### Support – Secondary Filings

|                   |               |               |
|-------------------|---------------|---------------|
| Modifications     | 10,475        | 10,037        |
| Contempt Hearings | 15,456        | 14,033        |
| <b>Total</b>      | <b>25,931</b> | <b>24,070</b> |

### Support – Judicial

|                           |                  |            |
|---------------------------|------------------|------------|
| Support Contempt Hearings | 244 <sup>1</sup> | 546        |
| Exceptions                | 140              | 159        |
| <b>Total</b>              | <b>384</b>       | <b>705</b> |

### Support – Hearing Officer

|                                |              |              |
|--------------------------------|--------------|--------------|
| Hearing Officer Hearings       | 4,403        | 4,180        |
| Hearing Master Complex Support | 210          | 162          |
| <b>Total</b>                   | <b>4,613</b> | <b>4,342</b> |

### Support – Professional Staff

|                             |               |                     |
|-----------------------------|---------------|---------------------|
| Screening                   | 13,424        | 19,092 <sup>2</sup> |
| Conciliation                | 14,486        | 14,101              |
| Contempt Hearings Conducted | 15,456        | 14,033              |
| <b>Total</b>                | <b>43,366</b> | <b>47,226</b>       |

<sup>1</sup> Judicial Support contempt stats reflect the period of January through May 2013. A new system to record these statistics was implemented in 2014.

<sup>2</sup> Includes workload statistics not reported in previous years.

## FAMILY DIVISION – DIVORCE

### Divorce – Original Filings

|       | 2013  | 2014  |
|-------|-------|-------|
| Filed | 2,753 | 2,667 |

### Divorce – Judicial

|           |     |     |
|-----------|-----|-----|
| Contested | 302 | 621 |
|-----------|-----|-----|

### Divorce – Hearing Officer/Master

|              |            |            |
|--------------|------------|------------|
| Contested    | 128        | 169        |
| Uncontested  | 5          | 5          |
| <b>Total</b> | <b>133</b> | <b>174</b> |

### Divorce – Professional Staff

|             |       |       |
|-------------|-------|-------|
| Uncontested | 2,093 | 1,646 |
|-------------|-------|-------|





# 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.



The Juvenile Probation (JP) Department remains committed to protecting the community, holding juvenile offenders responsible for restoring victims and communities, and helping youth develop competencies that lead them toward law-abiding, productive citizenship. These are the goals of Balanced and Restorative Justice—JP’s mission and legislative mandate for 20 years. To enhance the ability to achieve these goals, the JP Department has re-examined every facet of its work, incorporating evidence-based practices at key decision points. Known statewide as the Juvenile Justice System Enhancement Strategy (JJSES), this evidence-based initiative is transforming the way business is conducted.



Brock Bigley and Robert Struth were sworn in as Juvenile Probation Officers in 2014.



Juvenile Probation staff were honored for outstanding performance, including L-R: Reginald Robinson (CISP Rookie of the Year); Joyce Hanzel (Support Staff Rookie of the Year); and Michael Lombard (Person on the Go).

## EVIDENCE-BASED PRACTICE

- The risk/needs assessment is the foundation of evidence-based practice. Allegheny County, and nearly every other county in Pennsylvania, has adopted the Youth Level of Services (YLS) as the standard assessment to measure a youth's risk and needs. The completed YLS yields a score of low, moderate, or high risk, indicating the likelihood that the youth may reoffend, and the results of the YLS are important components of a probation officer's pre-disposition report and recommendation to the court and guide the development of the juvenile's case plan.
- Through a Pennsylvania Commission on Crime and Delinquency (PCCD) grant, all probation officers participated in evidence-based training on Developing Effective Case Plans and Aggression Replacement Training, a research based cognitive-behavioral curriculum for juvenile offenders.
- Allegheny County is one of five counties in Pennsylvania involved in the Standardized Program Evaluation Protocol (SPEP). The protocol, developed by researchers at Vanderbilt University, is based on an analysis of over 500 studies of recidivism during the last 20 years. The tool is designed to improve evidence-based programming offered to juveniles in community-based and residential programs.
- Allegheny County is one of four juvenile probation departments in Pennsylvania piloting a detention risk assessment instrument (DRAI). The instrument helps probation officers decide whether a juvenile requires secure detention or may be released to alternative detention pending formal hearing.
- JP added two alternatives to secure detention. A shelter option for delinquent females is available at Gwen's Girls, complementing the Hartman Shelter for males that opened in 2008. The court's Community Intensive Supervision Program (CISP) was adapted in 2014 to include pretrial supervision services. CISP also continues to serve as a community-based alternative to residential placement for delinquent youth. These alternatives to detention provide judges, hearing officers, and probation officers a wide range of options when deciding the best course of action for juveniles pending a court hearing.

## JUVENILE PROBATION ACTIVITIES

- Under the leadership of Family Division Administrative Judge Kim Berkeley Clark, the court remains a Model Court Site, as designated by the National Council of Juvenile and Family Court Judges. A committee consisting of representatives from agencies in the juvenile justice system identified several target areas for improvement including community engagement. Several committee members conducted a series of local police trainings in 2014 highlighting important changes in the juvenile justice system. Sessions were held in Baldwin Borough, Elizabeth Township, Ross Township, Kennedy Township, and the City of Pittsburgh. Reducing court processing timeframes was another target area identified by the committee. In response, a policy outlining specific timeframes for processing allegations of delinquency received from police and scheduling cases before the court was implemented.
- Restoring victims is a central tenet of Balanced and Restorative Justice. The law requires that juveniles fulfill court-ordered restitution obligations before their cases are closed. Restitution not paid in full is indexed as a judgment with the Department of Court Records when the juvenile attains 21 years of age. In 2014, Juvenile Probation oversaw the collection of \$289,895 in restitution, fees, and costs. Of this total, \$183,985 was repaid to victims for losses incurred, \$20,722 was paid to the Victim Compensation Fund, and \$22,800 was directed to the Stipend Fund for victim restitution. The remaining \$62,388 represents court fees and costs incurred by juvenile offenders.
- 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.



# FAMILY DIVISION – JUVENILE SECTION

## FAMILY DIVISION – PROBATION

### Juvenile Probation

| Original Filings <sup>1</sup>                                 | 2013         | 2014         |
|---|--------------|--------------|
| New Filings <sup>2</sup>                                      | 1,472        | 1,497        |
| Reopened Cases <sup>3</sup>                                   | 619          | 629          |
| Additional Allegation Filed with New or Reopened <sup>4</sup> | 67           | 61           |
| New Allegation on Active Juvenile <sup>5</sup>                | 1,111        | 1,200        |
| <b>Total</b>  | <b>3,269</b> | <b>3,387</b> |

### Juvenile Probation – Judicial

|                       |              |              |
|-----------------------|--------------|--------------|
| Hearings <sup>6</sup> | 7,780        | 7,838        |
| Warrants              | 1,249        | 1,246        |
| <b>Total</b>          | <b>9,029</b> | <b>9,084</b> |

### Juvenile Probation – Hearing Officer

|                    |              |              |
|--------------------|--------------|--------------|
| Detention Hearings | 1,372        | 1,206        |
| Other Hearings     | 2,229        | 2,215        |
| <b>Total</b>       | <b>3,601</b> | <b>3,421</b> |

### Juvenile Probation – Professional Staff

|                                      |               |               |
|--------------------------------------|---------------|---------------|
| Detention Hearings                   | 1,376         | 1,210         |
| Other Hearings                       | 10,005        | 10,053        |
| Warrants                             | 1,249         | 1,246         |
| Individualized Service Plan Meetings | 549           | 573           |
| Intakes – Allegations Received       | 3,270         | 3,390         |
| Petitions Filed                      | 2,163         | 2,048         |
| Case Contacts <sup>7</sup>           | 56,189        | 58,438        |
| <b>Total</b>                         | <b>74,801</b> | <b>76,958</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.

- The JP Warrant Unit works closely with the Pittsburgh Police, the Allegheny County Sheriff's Office, and municipal police agencies to apprehend at-risk juveniles who have absconded or violated conditions of supervision. The Warrant Unit is comprised of approximately 20 probation officers who volunteer to participate in addition to their regular duties. Since the Warrant Unit's inception in 2004 through 2014, 958 juvenile absconders/violators have been sought. Of that total, 36 percent were apprehended during a sweep, 43 percent were apprehended by the police subsequent to the sweep, 14 percent turned themselves in or were turned in by a parent after the sweep, and 7 percent were subsequently closed or aged out of the system. Less than 1 percent of those sought by the Warrant Unit remain AWOL.
- JP again presented the Disproportionate Minority Contact (DMC) curriculum to local law enforcement officers. The curriculum, designed to build competencies among juveniles and police that address DMC related issues, offers opportunities for police and juveniles to interact and role play.
- JP volunteered at the Allegheny County Music Festival held at Hartwood Acres to direct event traffic and collect donations for life-enriching opportunities and items that would not otherwise be available to delinquent and dependent youth. Judge Jill E. Rangos, JP staff, and volunteers from the Department of Human Services assisted with the collection of \$16,649 in donations at this event.
- Juvenile Justice Week – October 6-11, 2014. JP's Community Education Committee sponsored numerous events during the week including an open house for area high school students that offered workshops on *The Role of the Probation Officer*, *Consequences of Drug and Alcohol Use*, and *Collateral Consequences of Juvenile Court Involvement*. Probation officers and juveniles assisted in the creation of seven murals that were unveiled during the week and are now on display in the Family Law Center. The annual awards ceremony was also held to recognize key contributions and achievements of juveniles, parents, and probation staff.

## OUTCOMES

- Of the 1,290 cases closed during 2014, 91 percent of juveniles successfully completed supervision without re-offending, 81 percent paid restitution in full, and 94 percent completed their community service obligations in full.
- With the advent of the Juvenile Justice System Enhancement Strategy (JJSES) in 2010, the Pennsylvania Council of Chief Probation Officers and the Juvenile Court Judges' Commission agreed to raise the bar on measuring recidivism in the juvenile justice system. Historically, the system has tracked recidivism only during the time a juvenile was supervised by JP and active with the court. The new standard includes any misdemeanor or felony adjudication conviction for a period of two years after the case is closed. To establish a baseline against which the new standard can be measured, the Juvenile Court Judges' Commission examined recidivism rates for all cases closed between 2007 and 2009. Of the 4,753 juvenile cases closed in Allegheny County during the three-year period, only 24 percent of juveniles reoffended within two years of case closing. This data serves as a benchmark for Allegheny County JP as we further develop and implement evidence-based practices.



### CASE CLOSING INFORMATION 2014

|   |             |
|---|-------------|
| Number of Cases Closed                        | 1,290       |
| Average Length of Supervision: Probation      | 23.2 months |
| Average Length of Supervision: Consent Decree | 7.96 months |

| ACCOUNTABILITY FACTORS                 | Number of Youth Ordered | Amount Ordered | Amount Completed/Paid | Completed/Paid in Full | Completed/Paid 50% or more |
|--|-------------------------|----------------|-----------------------|------------------------|----------------------------|
| Community Service Hours                | 797                     | 29,806 Hours   | 31,115 Hours*         | 94%                    | 96%                        |
| Restitution                            | 462                     | \$387,579      | \$234,101             | 81%                    | 84%                        |
| Three Hour Victim Awareness Curriculum | 615                     |                | 615                   | 100%                   |                            |

\* Youth perform community service over and above the amount ordered by the court.

| PUBLIC SAFETY          | Number of Youth | % of Closed Cases |
|------------------------|-----------------|-------------------|
| Violation of Probation | 106             | 8.20%             |
| New Adjudication       | 118             | 9.15%             |

| SKILL BUILDING   | % of Closed Cases |
|--|-------------------|
| Attended School, Vocational Program, or GED Training or Employed at time of Case Closing | 76%               |



# 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 was selected by the National Council of Juvenile and Family Court Judges (NCJFCJ) in 2014 as one of eight national Implementation Sites to be provided tailored and proactive technical assistance on a spectrum of child welfare issues and promising practices. Courts were chosen based on a number of factors including the court’s commitment and motivation to implement system reform efforts, a willingness to organize and form a strong collaborative team, and a desire to improve current court practices. In October 2014, NCJFCJ staff made their first site visit to Allegheny County and completed an audit which will be utilized to assist the court in its effort to create a trauma-responsive environment for staff and the public.

A team of Children’s Court partners led by Judge Kathryn M. Hens-Greco presented *The Intersection of Trauma, Troubling Behaviors, Medication and Other Interventions Inside the Child Welfare System* in April 2014. Western Psychiatric Institute and Clinic psychiatrists Drs. Steve Zerby and Garrett Sparks were joined by UPMC re:solve Crisis Network medical director Dr. Jack Rozel and clinical administrator Alicia Allen for an informative discussion highlighting best practices and considerations when using psychotropic medications in the treatment of children and youth. The presentation was attended by an audience of 100 invitees, including judges, hearing officers, parent advocates, child advocates, county solicitors, juvenile probation officers, court administrators, social services providers, and caseworkers.

## CHILDREN’S COURT – DEPENDENCY

|  |              |
|--|--------------|
| <b>Dependency Petitions</b>                | <b>2014</b>  |
| Agency (Children Youth & Families – CYF)   | 992          |
| Agency with Aggravated Circumstances (CYF) | 32           |
| Private/Police                             | 436          |
| <b>Total</b>                               | <b>1,460</b> |

## Secondary Filings

|                                      |            |
|--------------------------------------|------------|
| Terminated Parental Rights Petitions | 172        |
| Adoption Petitions                   | 179        |
| <b>Total</b>                         | <b>351</b> |

## Judicial

|  |              |
|--|--------------|
| Emergency Custody Authorization Requests | 1,167        |
| Shelter Orders                           | 1,237        |
| Adjudicatory Orders – Dependent          | 919          |
| Adjudicatory Orders – Not Dependent      | 10           |
| Permanency Review Orders                 | 6,107        |
| Bypass Orders                            | 33           |
| <b>Total</b>                             | <b>9,473</b> |

## Hearing Officer

|                                   |              |
|-----------------------------------|--------------|
| Shelter Applications              | 1,295        |
| Shelter Recommendations           | 938          |
| Permanency Review Recommendations | 3,456        |
| <b>Total</b>                      | <b>5,689</b> |

## Professional Staff

|   |            |
|---|------------|
| Private/Police Petition Processing              | 436        |
| Permanent Legal Custody Modification Processing | 43         |
| <b>Total</b>                                    | <b>479</b> |

Judge Kathleen R. Mulligan and Department of Human Services Deputy Director Dr. Walter Smith collaborated in November 2014 to present *Children of Substance Abusing Parents*, funded by the Pennsylvania Supreme Court Office of Children and Families in the Courts. This mini-summit included keynote speaker Pamela Petersen-Baston, who has worked for 35 years in various drug prevention and treatment systems, and a multidisciplinary panel of county experts whose work addresses the distinct needs of these children.

Children's Court celebrated National Adoption Month in November 2014. The Family Law Center was decorated with the artwork of local K-8 students who crafted posters depicting the theme, *What My Family Means to Me*. Twenty-seven (27) artists, their families, and teachers were honored at a reception hosted by Administrative Judge Kim Berkeley Clark. National Adoption Month festivities came to an inspiring finish on Saturday, November 22 when 40 children, ages 1-15, were adopted during a special celebration presided over by Judges Paul E. Cozza, Donald R. Walko, Jr., Guido A. DeAngelis, Kathryn M. Hens-Greco, and Kathleen R. Mulligan.

The Children's Court Protection From Abuse (PFA) department continues to provide emergency, walk-in services, Monday through Friday, to both adult and child

victims of domestic violence. In keeping with best practices and recommendations for model court systems, a safe environment exists within the Family Law Center PFA department which includes separate waiting areas for plaintiffs and defendants, a dedicated courtroom for PFA cases, and access to a secure children's playroom. A spacious intake area serves as a resource center where clients can complete court petitions, meet with domestic violence program advocates, receive information regarding county services and resources, and obtain referrals to the domestic violence units of the Allegheny County District Attorney's Office and the Criminal Division Adult Probation department for related criminal matters.

The PFA department continued to partner with community and legal agencies to provide ongoing training and updates on laws and procedures regarding domestic violence. The department participated in the ongoing planning and improvement activities of both the Allegheny County Domestic Violence Task Force and the Batterers Intervention Program Committee. Two comprehensive continuing legal education trainings were conducted in April and November 2014 for attorneys volunteering to represent plaintiffs at PFA hearings. These trainings covered both substantive law and ethical considerations in the areas of this practice. In October 2014, an annual presentation regarding PFA procedures was conducted, along with other Family Division topics, at Lydia's Place/Renewal, an organization dedicated to helping offenders and their children rebuild their lives, as part of the Strengthening Families program for inmates re-entering the community.

PFA training sessions were held throughout 2014 for new judges and their staff, Children's Court staff, magisterial district judges, employees of the Allegheny County District Attorney's Office, Family Division Self-Help Center staff, and Family Division Adult and Penn Hills Regional Support Office staff. *Domestic Violence, Lethality, and Homicide Case Review* training was held for judges, hearing officers, and Allegheny County District Attorney's Office staff in December 2014.

As a result of collaboration between PFA staff and the custody court committee, procedures and associated pleadings were revised and implemented to improve client ease of access between various Family Division departments for cases involving cross-over issues and the need to simultaneously access services. Additionally, new procedures have been adopted that allow PFA plaintiffs to seek emergency re-instatement of their PFA case following a dismissal when the plaintiff missed a hearing for good cause.

#### CHILDREN'S COURT – PROTECTION FROM ABUSE (PFA)

##### Temporary PFA Applicants Screened 2014

|                                      |              |
|--------------------------------------|--------------|
| Applicants Not Filing Petitions      | 410          |
| Petitions denied                     | 65           |
| Temporary PFA Order Granted by Judge | 3,435        |
| <b>Total</b>                         | <b>3,910</b> |

|                               |             |
|-------------------------------|-------------|
| Temporary PFA with custody    | 1,409 (41%) |
| Temporary PFA without custody | 2,026 (59%) |

##### Final PFA Hearings Scheduled

|   |       |
|---|-------|
| New and Continued<br>(Includes judicial conciliations, hearings, consent agreements, default orders, withdrawals and continuances.) | 4,636 |
|---|-------|

##### Indirect Criminal Contempt Hearings Scheduled

|   |       |
|---|-------|
| New and Continued<br>(Results of hearings may include filing of criminal charges, continuance of probation, extension of PFA order, continuance of ICC case.) | 1,245 |
|---|-------|



# FAMILY DIVISION – CHILDREN’S COURT



## CHILDREN’S COURT – CUSTODY

### Custody – Original Filings 2014

|                                |              |
|--------------------------------|--------------|
| Custody Complaint              | 1,963        |
| Divorce Complaint with Custody | 85           |
| <b>Total</b>                   | <b>2,048</b> |

### Custody – Secondary Filings

|                        |              |
|------------------------|--------------|
| Modification           | 1,088        |
| Contempt / Enforcement | 409          |
| <b>Total</b>           | <b>1,497</b> |

### Custody – Judicial

|          |     |
|----------|-----|
| Hearings | 790 |
|----------|-----|

### Custody – Hearing Officer

|                          |     |
|--------------------------|-----|
| Partial Custody Hearings | 547 |
|--------------------------|-----|

### Custody – Professional Staff

(Professional Staff also review In Forma Pauperis petitions, pro se motions, and walk-in consent orders and address walk-in custody questions)

|                      |              |
|----------------------|--------------|
| Mediation            | 1,596        |
| Conciliations        | 1,077        |
| Contempt Conferences | 298          |
| <b>Total</b>         | <b>2,971</b> |

As part of the Children’s Court two step mandatory Generations program, families who are involved in custody litigation attend an educational seminar. The goal of the seminar is to educate and empower families to resolve custody disputes without court assistance and teaches adults to co-parent using effective communication. Parents are encouraged to explore mutually agreeable custody schedules and to manage conflict in a way that minimally impacts children. Children, ages 6 through 15, also participate in this program and are given the opportunity to discuss their thoughts and feelings among a group of their peers. In 2014, 2,658 adults and 722 children participated in the Generations program which takes place three Saturdays and one Wednesday evening each month in the Family Law Center.

For the past six years, Children’s Court, in collaboration with the Allegheny County Department of Human Services, has staffed a Children’s Court Office of Human Services. The purpose of this office is to work with judges, hearing officers, domestic relations officers, and other court affiliated personnel in identifying appropriate resources and referrals for litigants involved in child custody disputes, domestic violence cases involving children, and pre/post dependency cases where there is no formal Department of Human Services involvement. Located at the Family Law Center, the office is staffed by a Human Services Resource Specialist. Over the past five years, the Children’s Court Office of Human Services has provided 669 referrals to participants in custody related cases. A large percentage of requests center on co-parenting, mental health, family counseling, and supervised visitation needs. Dedicated Children’s Court Office of Human Services staff maintains relationships with service providers and develops new relationships with agencies to provide needed assistance. This office will continue to focus on the needs of the entire family with dedicated emphasis on children.





# CIVIL DIVISION JUDGES



HON. RONALD W. FOLINO  
Administrative Judge



HON. ROBERT J. COLVILLE



HON. MICHAEL A. DELLA  
VECCHIA



HON. ALAN D. HERTZBERG



HON. PAUL F. LUTTY, JR.



HON. MICHAEL F. MARMO



HON. MICHAEL E. MCCARTHY



HON. W. TERRENCE O'BRIEN



HON. CHRISTINE A. WARD



HON. JUDITH L. A. FRIEDMAN  
Senior Judge



HON. JOSEPH M. JAMES  
Senior Judge



HON. TIMOTHY PATRICK O'REILLY  
Senior Judge



HON. R. STANTON WETTICK, JR.  
Senior Judge

# 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.

By order of the Supreme Court of Pennsylvania, Judge Ronald W. Folino was appointed Administrative Judge of the Civil Division, effective January 2014. His administrative duties include overseeing all functions of the Civil Division, including general docket cases, jury and non-jury trials, the Arbitration division, commerce and complex litigation cases, and the Board of Viewers. His duties as Calendar Control Judge, an assignment he held prior to being appointed Administrative Judge, are ongoing. He administers the assignment of jury and non-jury cases to judges assigned to the Civil Division and presides in motions court nearly every day for cases that appear on the published trial list.

Nine commissioned judges, including Judge Michael F. Marmo, who was transferred from the Family to the Civil Division in January 2014, and four senior judges are assigned to the Civil Division.

Customary workloads of the Civil Division judges include presiding over conciliations, arguments, jury, and non-jury trials. In addition to those duties, judges were assigned to hear specific docket matters as follows:

**Judge Robert J. Colville**

- Allegheny County drink tax cases

**Judge Michael A. Della Vecchia**

- Asbestos cases and eminent domain cases

**Judge Ronald W. Folino**

- Administrative Judge and Calendar Control Judge

**Judge Alan D. Hertzberg**

- Housing Authority appeals and prisoner litigation

**Senior Judge Joseph M. James**

- Zoning Board appeals; appointed on November 5, 2014 by the Pennsylvania Supreme Court as interim Administrative Judge of the Washington County Court of Common Pleas

**Judge Michael F. Marmo**

- Expedited asbestos cases

**Judge Michael E. McCarthy**

- Residential Mortgage Foreclosure Program and structured settlements

**Judge W. Terrence O'Brien**

- Office of Open Records appeals and Liquor Control Board cases

**Senior Judge Timothy Patrick O'Reilly**

- Liquor Control Board cases

**Judge Christine A. Ward**

- Commerce and complex litigation cases and construction litigation

**Senior 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 following matters were processed by Civil Division judges in 2014:

- 595 cases appeared on the General Argument List. This number includes arguments on motions for Summary Judgment and Judgment on the Pleadings; 471 cases were adjudicated; 124 cases were relisted for hearing.
- 1,307 cases were scheduled for pre-trial conciliation, with the following results:

|   |              |
|---|--------------|
| Settled                                 | 578          |
| Transferred to Arbitration              | 24           |
| Stricken from issue                     | 0            |
| Transferred to Bankruptcy Court         | 5            |
| Transferred to another division/section | 2            |
| Relisted by the Calendar Control Judge  | 260          |
| Summary Judgment granted                | 4            |
| Scheduled for jury/non-jury trial       | 434          |
| <b>Total</b>                            | <b>1,307</b> |

After conclusion of pre-trial proceedings, 729 cases were called for trial (304 jury and 425 non-jury) resulting in the following dispositions:

|   |            |
|---|------------|
| Jury verdicts                           | 72         |
| Non-jury verdicts                       | 320        |
| Settled prior to trial                  | 260        |
| Continued                               | 55         |
| Transferred to Federal Bankruptcy Court | 6          |
| Non-suits                               | 4          |
| Other                                   | 12         |
| <b>Total</b>                            | <b>729</b> |

Judge 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 in 2014:

|                                       |     |
|---------------------------------------|-----|
| Cases conciliated from the trial list | 112 |
| Uncontested motions                   | 851 |
| Contested motions presented           | 640 |
| Arbitration cases continued           | 60  |

In addition to Judge Della Vecchia's ongoing assignment to asbestos cases, in April 2014, Judge Folino assigned Judge Michael F. Marmo to hear asbestos cases. Cases managed under the court's regular and expedited dockets, pursuant to the Case Management Order of Court filed at Administrative Docket #332 of 2005 as amended in August 2012, are now supervised and administered by Judge Marmo. In April 2014, Judge Michael E. McCarthy was assigned to serve as the Mortgage Foreclosure Program conciliation judge. Under this program, defendants facing foreclosure are afforded free counseling provided by the Pennsylvania Housing Finance Agency. Five hundred sixty-four (564) cases were conciliated under this program in 2014. During 2014, judges presiding in motions court issued 7,020 orders and adjudicated 501 preliminary objections, 52 preliminary injunctions, and 311 non-jury Pa.R.C.P.1303 hearings.

Denise Seibel was appointed Manager of Calendar Control in May 2014, following the retirement of Clair Beckwith. Prior to her promotion, Ms. Seibel served with the Fifth Judicial District as a clerk typist, Calendar Control Clerk, and administrative assistant. She and Calendar Control staff work closely with Judge Folino to keep trial lists current.

We wish to acknowledge the retirement of Clair Beckwith, Calendar Control Supervisor, who, after 41 years of service, retired on May 2, 2014. Clair began his career with Allegheny County as a clerk in the Prothonotary's Office, was transferred to the Civil Division Assignment Room, and in 1986 was assigned to the Calendar Control Office where he became supervisor. Raymond Raibel, tipstaff for Judge Paul F. Luty, Jr., also retired in 2014, after 25 years of service.



**CALENDAR CONTROL STAFF L-R:** Maryann Schanck-Fescemyer, Denise Seibel, Madonna Melle, and Kim Filipic.

## DOCKETED CASES

| <b>Tort</b> <i>(does not include mass tort)</i>     | <b>Filed</b> |
|---|--------------|
| Intentional   | 55           |
| Malicious Prosecution                               | 5            |
| Motor Vehicle                                       | 1,405        |
| Nuisance  | 6            |
| Premises Liability                                  | 293          |
| Product Liability (does not include mass tort)      | 63           |
| Slander/Libel/Defamation                            | 22           |
| Other   | 997          |
| Asbestos  | 67           |
| Tobacco   | 0            |
| Toxic Tort – DES                                    | 0            |
| Toxic Tort – Implant                                | 0            |
| Toxic Waste   | 0            |
| Dental  | 13           |
| Legal   | 24           |
| Medical   | 278          |
| Other Professional                                  | 33           |
| <b>Contract</b> <i>(does not include judgments)</i> |              |
| Buyer Plaintiff                                     | 131          |
| Debt Collection: Credit Card                        | 1,366        |
| Debt Collection: Other                              | 1,410        |
| Employment Dispute: Discrimination                  | 17           |
| Employment Dispute: Other                           | 34           |
| Other   | 1,359        |
| <b>Real Property</b>                                |              |
| Ejectment   | 298          |
| Eminent Domain/Condemnation                         | 96           |
| Ground Rent   | 0            |
| Landlord/Tenant Dispute                             | 1,317        |
| Mortgage Foreclosure: Residential                   | 2,346        |
| Mortgage Foreclosure: Commercial                    | 73           |
| Partition of Real Property                          | 18           |
| Quiet Title   | 298          |
| <b>Civil Appeals – Administrative Agencies</b>      |              |
| Board of Elections                                  | 34           |
| Zoning Board  | 18           |
| Statutory Appeal – Other                            | 118          |
| <b>Miscellaneous</b>                                |              |
| Common Law/Statutory Arbitration                    | 17           |
| Declaratory Judgment                                | 59           |
| Mandamus  | 13           |
| Non-Domestic Relations Restraining Order            | 0            |
| Quo Warranto  | 1            |
| Replevin  | 32           |



# CIVIL DIVISION – ARBITRATION

## 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 \$35,000 jurisdictional limit. 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.

Of the 7,065 new cases filed in 2014, 5,736 represent contract, personal injury, credit collection, lemon law and/or medical malpractice cases, and 1,329 represent landlord-tenant actions. In addition, 158 cases were transferred from the Civil Division general docket to Arbitration. In 2014, 452 arbitration boards heard 1,869 cases, the average arbitrators' cost per case decreased from \$74.78 in 2013 to \$72.01 in 2014, and the appeal rate associated with arbitration awards decreased from 32.55 percent in 2013 to 31.51 percent in 2014.

Compulsory Arbitration, in conjunction with the Department of Court Records and Civil Division motions court, updated procedural instructions to streamline the process for tenants seeking late appeals and/or stays of eviction. This has not only clarified the procedure and reduced filing time, but also allows for accurate capturing of case information. Additionally, a significant decrease in the number of motions related to late appeals and stays of eviction is the result of a court notice developed in 2013, which provides specific appeal instructions to litigants involved in landlord-tenant cases. This notice is provided to all tenants at the time of their Magisterial District Court proceeding.

## ARBITRATION CASES

|  | 2012          | 2013         | 2014         |
|--|---------------|--------------|--------------|
| Pending on January 1<br>(includes cases filed in previous years) | 2,413         | 1,767        | 1,529        |
| New Cases Filed  | 8,302         | 7,496        | 7,065        |
| Transferred from Civil Division                                  | 255           | 198          | 158          |
| <b>Total</b>   | <b>10,970</b> | <b>9,461</b> | <b>8,752</b> |
| Awards by Boards   | 2,035         | 1,837        | 1,869        |
| Settlements, Non-Pros., Etc.                                     | 6,266         | 5,301        | 4,580        |
| Trial List Cases Disposed by Judge                               | 841           | 794          | 722          |
| <b>Total</b>   | <b>9,142</b>  | <b>7,932</b> | <b>7,171</b> |
| Appeals Filed  | 611           | 598          | 589          |
| Rate of Appeals  | 30.02%        | 32.55%       | 31.51%       |

Compulsory Arbitration continues to serve as a forum for local law students to gain practical knowledge in addition to their course studies by observing arbitration proceedings. Students are provided with informational packets, including the Pennsylvania Rules of Civil Procedure for Compulsory Arbitration, and are afforded an opportunity to ask questions of the supervisor and lawyers serving as arbitrators regarding the rules and procedures.

## ARBITRATION BOARDS

|                                       | 2012             | 2013             | 2014             |
|---------------------------------------|------------------|------------------|------------------|
| Number of Arbitration Boards Summoned | 485              | 458              | 452              |
| Number of Arbitrators Summoned        | 1,455            | 1,374            | 1,356            |
| Arbitrator's Fee Per Day              | \$150            | \$150            | \$150            |
| Total Arbitrators' Fees               | \$218,250        | \$206,100        | \$203,400        |
| Less Non-Recoverable Appeals Fees     | \$70,720         | \$68,730         | \$68,820         |
| <b>Total Costs</b>                    | <b>\$147,530</b> | <b>\$137,370</b> | <b>\$134,580</b> |
| Average Cost per Case                 | \$72.50          | \$74.78          | \$72.01          |

# CIVIL DIVISION – BOARD OF VIEWERS



In 2014, 7,154 real estate tax assessment appeals were resolved by the seven-member Board of Viewers marking their second highest volume of matters resolved in the last 14 years.

Appeals involving residential and commercial cases continue to arise as a result of the court-ordered countywide property reassessment in 2012. Five Special Masters, assisted by two Lay Masters, achieve resolution of cases through conciliations and hearings. Conciliations involve negotiating resolutions between parties and are supervised by Special and Lay Masters. Parties informally meet to discuss their opinions of property value and to offer supporting information regarding sales, assessment data, and appraisals. If the case cannot be resolved via conciliation, a hearing is scheduled before a Special Master where testimony from lay and expert witnesses is offered. A Masters' report is then filed with the court. The rate of objections in 2014 to Masters' reports continued to be less than one percent.

In 2014, 20 new petitions for appointment of viewers were filed, the Board conducted 25 views where eminent domain takings had occurred, and 18 complex eminent domain cases proceeded to a full hearing.



Michelle H. Lally, Esq., Administrative Chair – Board of Viewers

The takings by government agencies involve sewer and water line projects in various communities in Allegheny County and partial and total takings by the Pennsylvania Turnpike Commission, the Pennsylvania Department of Transportation, and by local authorities and municipalities. When an eminent domain hearing is conducted, three Board members preside to hear the evidence and decide the case as triers of fact. Expert witnesses, including appraisers, engineers, arborists, and property owners, testify and present evidence in support of their case. Following such hearings, the Board deliberates and submits a report to the court which makes legal findings consistent with the evidence and awards compensation when appropriate. In 2014, the Board of Viewers undertook their first case arising from Marcellus drilling in Western Pennsylvania.

As 2015 commences, the Board of Viewers anticipates addressing several on-going, long-term highway expansion projects and a large sewer project in a suburban Allegheny County community as a result of continued residential development and growth in the region.

## BOARD OF VIEWERS

|   |              |
|---|--------------|
| Eminent Domain<br><i>(New Petitions/Views/Hearings involving water and sewer line cases, partial and total takings, and private roads)</i>  | 67           |
| Tax Appeals<br><i>(Conciliations/Hearings/Settlements/Masters Reports involving residential and commercial real estate tax assessments appealed from the Board of Property Assessment Appeals and Review decisions)</i> | 7,154        |
| <b>Total</b>  | <b>7,221</b> |



# MAGISTERIAL DISTRICT COURT JUDGES



HON. RONALD A. ARNONI  
05-2-20



HON. ROBERT BARNER  
05-2-11



HON. DAVID J. BARTON  
05-2-17



HON. CAROLYN S. BENDEL  
05-2-05



HON. SUZANNE R. BLASCHAK  
05-3-04



HON. THOMAS P. CAULFIELD  
05-2-08



HON. ANTHONY M. CIOFFE  
05-3-10



HON. MARY ANN CERCONI  
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



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. GUY RESCHENTHALER  
05-2-16



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



HON. EUGENE N. RICCIARDI  
05-2-27



HON. DERWIN D. 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



# MAGISTERIAL DISTRICT COURT JUDGES



HON. CARLA M. SWEARINGEN  
05-2-43



HON. THOMAS R. 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. JOHN N. BOVA  
Senior Judge



HON. PAT A. CAPOLUPO  
Senior Judge



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 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.

The 46 Magisterial District Courts within the Fifth Judicial District of Pennsylvania provide a forum for fair and equal access to judicial services and allow for the expeditious resolution of public and private disputes. The Magisterial District Courts processed 191,847 cases in 2014.

The PAePay application, initiated in 2011 for the minor judiciary, was accessed in 2014 by 18,611 court participants to pay fines, costs, and restitution. Additionally, the Fifth Judicial District, in 2014, began using PAePay Bail, an enhancement of the original PAePay application, which allows the public to submit electronic bail payments in Magisterial District Court and Common Pleas Court cases. Bail payments made using a Visa, MasterCard, Discover, American Express, or an ATM card may not exceed \$20,000 per transaction. As of December 31, 2014, 66 PAePay Bail payments, including four at the Court of Common Pleas level and 62 at the Magisterial District Court level, were made totaling \$75,675. This secure payment application has resulted in greater efficiency and convenience for the public and the court.

The Special Court Judges Association of Pennsylvania (SCJAP) held its annual conference at the Sheraton Pittsburgh Hotel at Station Square June 18-21, 2014. The association, founded in 1976, is a professional organization representing approximately 530 Magisterial District Judges (MDJs), Philadelphia Municipal Court Judges, and Pittsburgh Municipal Court Judges. One hundred fifty (150) MDJs attended the conference and participated in business meetings and educational seminars featuring keynote speaker Dr. Cyril Wecht, a medical-legal and forensic pathologist consultant in both criminal and civil cases; Stephanie Libhart, Executive Director of the Interest on Lawyers Trust Accounts (IOLTA) Board; Moon Township Police Sergeant Douglas Odgen, who gave a presentation relative to the DUI taskforce and checkpoints; and Drug Enforcement Agency representatives and local police officers who shared information regarding canine drug

detection training. Pennsylvania Superior Court Judge David N. Wecht administered the oath of office to newly-elected SCJAP President MDJ Thomas G. Miller, Jr. (District Court 05-3-05) during the conference, and MDJ Dennis R. Joyce (District Court 05-2-23) was appointed State Solicitor for the organization. Allegheny County past presidents of the SCJAP include MDJs Charles Franciscus 1974, Bernard Regan 1977, James Russo 1983, Dennis R. Joyce 1994, and Richard King 2006.



Participants of the 2014 Special Court Judges Association of Pennsylvania (SCJAP) annual conference. **L-R:** Treasurer, MDJ Larry G. Pentz, Franklin County; 2nd Vice President, MDJ Suzanne C. Mack, Erie County; Pennsylvania Superior Court Judge David N. Wecht; 1st Vice President, MDJ Joseph Homanko, Carbon County; and Secretary, MDJ Allen P. Page, III, Lycoming County.

MDJ Ronald Arnoni was appointed by Governor Tom Corbett in March 2014 to serve in District Court 05-2-20 (Bethel Park and Upper St. Clair Township). MDJ Robert L. Barner, who served in District Court 05-2-11 (East McKeesport, North Versailles, and the Boros of Trafford-Allegheny County, Wall, and Wilmerding), retired on April 6, 2014 after 14 years of service and was certified to sit as a senior judge effective April 7, 2014.



# MAGISTERIAL DISTRICT COURTS



Magisterial District Courts-Administrative Office staff, seated  
L-R: Ken Jugan, Angharad Grimes Stock, Esq., standing  
L-R: Robin Shook, Darlene Cork

The Administrative Office of Pennsylvania Courts approved the appointment of Angharad Grimes Stock, Esq. as Deputy Administrator-Special Courts for the Fifth Judicial District of Pennsylvania, effective November 10, 2014. Ms. Stock has served as Administrator of Pittsburgh Municipal Court since 2007. She will continue to serve in that capacity as well as provide administrative support for the 46 Magisterial District Courts of the Fifth Judicial District. She formerly served as Assistant District Attorney for Allegheny County for 13 years and as a law clerk for the Honorable Harry M. Montgomery, a former senior judge of the Superior Court of Pennsylvania, for four years.

## RETIREES

The Fifth Judicial District would like to recognize the following employees who retired in 2014 for their years of dedicated service:

### **Mary Kay Abdulovic**

District Court 05-3-10, 4 yrs. 8 months of service

### **Janice Bartholomew**

District Court 05-2-03, 28 yrs. 10 months of service

### **Mary Ann Hartigan**

District Court 05-2-17, 14 yrs. 4 months of service

### **Helen Jackson**

Court Administration, 32 yrs. 9 months of service

### **Jacqueline Kushner**

District Court 05-2-22, 26 yrs. 6 months of service

### **Eileen LaCivia**

District Court 05-2-07, 12 yrs. 2 months of service

### **Roberta McClelland**

District Court 05-3-06, 12 yrs. of service

### **Carol Prosser**

District Court 05-2-27, 28 yrs. 7 months of service

## IN MEMORIAM

We would like to recognize the following staff members who passed away during 2013/2014:

### **Judith Conte (4/16/47 – 11/17/13)**

District Court 05-2-06, 31 yrs. 10 months of service

### **Mary Scafuri (4/16/60 – 7/01/13)**

District Court 05-3-03, 8 yrs. 8 months of service

### **Tracey Holtzman (9/11/67 – 1/12/14)**

District Court, 05-2-13, 22 yrs. 8 months of service



## FILINGS BY MAGISTERIAL DISTRICT COURT

| Court        | Criminal      | Private<br>Summary | Traffic        | Non-Traffic   | Civil         | Landlord/<br>Tenant | Total          |
|--------------|---------------|--------------------|----------------|---------------|---------------|---------------------|----------------|
| 05-0-03      | 12,726        | 217                | 27,381         | 8,853         | 0             | 0                   | 49,177         |
| 05-2-01      | 599           | 56                 | 4,553          | 668           | 159           | 243                 | 6,278          |
| 05-2-02      | 840           | 256                | 2,735          | 619           | 307           | 137                 | 4,894          |
| 05-2-03      | 692           | 306                | 3,422          | 946           | 335           | 219                 | 5,920          |
| 05-2-04      | 278           | 60                 | 2,772          | 657           | 244           | 147                 | 4,158          |
| 05-2-05      | 444           | 158                | 4,623          | 858           | 264           | 246                 | 6,593          |
| 05-2-06      | 746           | 239                | 1,545          | 819           | 503           | 639                 | 4,491          |
| 05-2-07      | 883           | 263                | 3,117          | 778           | 437           | 326                 | 5,804          |
| 05-2-08      | 496           | 489                | 4,266          | 798           | 163           | 306                 | 6,518          |
| 05-2-10      | 647           | 231                | 4,106          | 909           | 168           | 684                 | 6,745          |
| 05-2-11      | 638           | 284                | 4,203          | 770           | 293           | 426                 | 6,614          |
| 05-2-12      | 365           | 98                 | 3,866          | 432           | 338           | 66                  | 5,165          |
| 05-2-13      | 840           | 53                 | 1,338          | 1,716         | 306           | 677                 | 4,930          |
| 05-2-14      | 1,108         | 805                | 2,428          | 927           | 288           | 383                 | 5,939          |
| 05-2-15      | 629           | 258                | 3,477          | 1,009         | 265           | 241                 | 5,879          |
| 05-2-16      | 513           | 184                | 3,367          | 407           | 264           | 155                 | 4,890          |
| 05-2-17      | 459           | 85                 | 5,740          | 395           | 155           | 192                 | 7,026          |
| 05-2-18      | 958           | 5                  | 2,794          | 843           | 138           | 349                 | 5,087          |
| 05-2-19      | 491           | 4                  | 4,613          | 1,318         | 199           | 179                 | 6,804          |
| 05-2-20      | 432           | 104                | 2,414          | 588           | 230           | 72                  | 3,840          |
| 05-2-21      | 384           | 335                | 2,836          | 476           | 276           | 65                  | 4,372          |
| 05-2-22      | 403           | 65                 | 1,467          | 346           | 179           | 75                  | 2,535          |
| 05-2-23      | 485           | 70                 | 2,653          | 887           | 176           | 174                 | 4,445          |
| 05-2-25      | 799           | 102                | 3,132          | 771           | 334           | 259                 | 5,397          |
| 05-2-26      | 257           | 120                | 675            | 245           | 309           | 97                  | 1,703          |
| 05-2-27      | 0             | 79                 | 2,342          | 893           | 194           | 316                 | 3,824          |
| 05-2-28      | 0             | 192                | 622            | 487           | 283           | 611                 | 2,195          |
| 05-2-31      | 0             | 304                | 38             | 166           | 295           | 598                 | 1,401          |
| 05-2-32      | 335           | 211                | 2,004          | 293           | 225           | 159                 | 3,227          |
| 05-2-35      | 0             | 246                | 805            | 324           | 216           | 170                 | 1,761          |
| 05-2-36      | 97            | 50                 | 13             | 111           | 112           | 220                 | 603            |
| 05-2-38      | 0             | 167                | 168            | 391           | 218           | 243                 | 1,187          |
| 05-2-40      | 0             | 30                 | 108            | 671           | 208           | 651                 | 1,668          |
| 05-2-42      | 0             | 572                | 27             | 519           | 208           | 763                 | 2,089          |
| 05-2-43      | 644           | 263                | 2,917          | 438           | 221           | 77                  | 4,560          |
| 05-2-47      | 816           | 558                | 2,266          | 1,044         | 400           | 677                 | 5,761          |
| 05-3-02      | 261           | 14                 | 4,865          | 279           | 112           | 22                  | 5,553          |
| 05-3-03      | 688           | 98                 | 4,163          | 597           | 189           | 35                  | 5,770          |
| 05-3-04      | 419           | 263                | 3,576          | 326           | 319           | 49                  | 4,952          |
| 05-3-05      | 180           | 29                 | 526            | 214           | 180           | 97                  | 1,226          |
| 05-3-06      | 1,065         | 78                 | 1,346          | 814           | 203           | 565                 | 4,071          |
| 05-3-09      | 590           | 593                | 1,068          | 1,158         | 434           | 270                 | 4,113          |
| 05-3-10      | 0             | 79                 | 28             | 93            | 121           | 108                 | 429            |
| 05-3-12      | 0             | 51                 | 29             | 459           | 140           | 522                 | 1,201          |
| 05-3-13      | 0             | 271                | 1,361          | 312           | 223           | 416                 | 2,583          |
| 05-3-14      | 630           | 590                | 932            | 754           | 326           | 655                 | 3,887          |
| 05-3-17      | 383           | 234                | 2,238          | 582           | 162           | 160                 | 3,759          |
| <b>TOTAL</b> | <b>33,220</b> | <b>9,819</b>       | <b>134,965</b> | <b>37,960</b> | <b>11,319</b> | <b>13,741</b>       | <b>241,024</b> |



# PITTSBURGH MUNICIPAL COURT

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

Pittsburgh Municipal Court (PMC) continued its commitment to promote public trust and confidence by providing quality service in an impartial, efficient, and effective manner.

In conjunction with the Pennsylvania Supreme Court's ongoing efforts to improve court functions, effective August 4, 2014, the Fifth Judicial District of Pennsylvania introduced PAePay Bail, a web-based application which provides the ability to make bail payments using a credit or debit card for Magisterial District Court and Common Pleas Court cases. Pittsburgh Municipal Court processed bail payments in the amount of \$54,575 on 40 cases through this application in 2014. The Arraignment Division collected and processed \$1,260,637, representing primarily bail on Criminal cases, collateral on Summary, Criminal, and Family Division cases, collateral on traffic and non-traffic cases, and Department of Court Records fees. The Arraignment Division also processes the posting of bail by bondsmen.

The Arraignment Division of PMC maintains a 24/7, 365 days a year schedule, with all Fifth Judicial District Magisterial District Judges presiding on a rotating basis. In 2014, 18,061 preliminary arraignments were conducted via two-way simultaneous audio-visual communication with the Allegheny County Jail pursuant to Pa.R.Crim.P. 540. This number includes 128 bail hearings that were conducted pursuant to Pa.R.Crim.P. 517 involving defendants arrested in Allegheny County for charges filed in another Pennsylvania judicial district.



Court Arraignment staff (3:00 – 11:00 p.m. shift). Seated L-R: Kim Ondik and Trish Alverson. Standing L-R: Samantha Boggess, Dennis Onderick, Esthela Slater. Missing from photo: Justin Yeckley, John D'Abruzzo, Joanne Kilkeary, and Keasha Blakeman.

The Arraignment Division utilized videoconferencing to conduct 74 proceedings for individuals housed in correctional facilities throughout Pennsylvania.

In addition to conducting preliminary arraignments, the Arraignment Division files criminal complaints and processes the issuance of arrest and search warrants for all Magisterial District Courts during non-business hours and for the City of Pittsburgh 24/7. Magisterial District Judges assigned to the Arraignment Division conducted 91 marriage ceremonies in 2014.

Emergency Protection from Abuse (PFA) petitions are processed at Arraignment Court on weekday evenings and 24/7 on weekends and holidays. The Arraignment Division handled 2,550 Emergency PFA petitions in 2014, 2,065 of which were granted, and 485 of which were denied. A total of 802 warrants for Indirect Criminal Contempt pertaining to PFA violations were issued in 2014.

Concentrated efforts were continued by the Allegheny County Sheriff's Office, the City of Pittsburgh Bureau of Police, and the Association of the Allegheny County Chapter of Pennsylvania State Constables to serve summary warrants. The addition of the local Pennsylvania State Constables to the warrant service project, initiated in 2013, provided greater coverage into the far corners of Allegheny County, comprised of approximately 730 square miles. Despite the many challenges associated with the high volume of warrants, these agencies have proven to be resilient in their efforts. More than 1,500 additional summary warrants were served in 2014 than in 2013. A total of 10,000 summary warrants were served in 2014.

The total number of case filings at PMC continued to decrease in 2014. Of the 49,177 cases filed in PMC's Non-Traffic, Traffic, and Criminal Divisions, 12,726 were Criminal, 8,853 were non-traffic, 27,381 were traffic, and 217 were private criminal complaints. The Criminal Division disposed of 9,207 cases in 2014. The Expedited Disposition Plea (EDP) Program, expanded to include participants of the Fifth Judicial District's

Veterans Court, disposed of 1,585 cases. The EDP guilty pleas are conducted via videoconferencing between the Court of Common Pleas Criminal Division and PMC. Videoconferencing was utilized to process 525 traffic and non-traffic summary cases involving offenders housed in correctional facilities throughout Pennsylvania.

Online payment features available to court participants have continued to increase in 2014. The Magisterial District Judge Computer System (MDJS) PAePay 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 using credit/debit cards via the internet. nCourt also offers the ability to pay via telephone. The total PMC collections in 2014 were \$3,771,268, representing payment of fines, fees, and collateral for traffic and non-traffic citations. Approximately 3,804 court participants utilized the PAePay system to pay court obligations, which resulted in the collection of \$761,432, and \$522,394 was paid through the services of nCourt. This is approximately 30 percent of the total payments received and processed at PMC.

PMC contracted with Credit Management Company (CMC), a Pittsburgh-based collection agency, in 2014, to improve debt collection. Defendants have the ability to submit payments in person, by telephone, or by using CMC's online payment option.

#### PMC COLLECTED \$3,771,268 IN FINES, FEES, AND COLLATERAL FOR TRAFFIC AND NON-TRAFFIC CITATIONS IN 2014.

Distributions required by state law include the following:

|                              |             |
|------------------------------|-------------|
| County of Allegheny          | \$597,412   |
| Commonwealth of Pennsylvania | \$1,717,477 |
| City of Pittsburgh           | \$1,456,379 |

The PMC Criminal Division online calendar system was utilized to process 895 postponement requests, and as of December 2014, 350 attorneys were registered to use the system. The PMC daily calendar is available for public viewing through the Fifth Judicial District website, <http://www.alleghencourts.us/pmc/calendar.aspx>, and is searchable by date of proceeding, name of defendant, and/or Offense Tracking Number.

Pittsburgh Municipal Court employees participated in training provided by the Administrative Office of Pennsylvania Courts on the Magisterial District Judge Computer System (MDJS) and in Active Shooter Training (AST), which was provided to prepare staff to appropriately respond to emergency incidents.

#### PITTSBURGH MUNICIPAL COURT

| Magisterial District Judge     | Court Number | Sessions Assigned | PMC Cases <sup>1</sup> | MDJ Court Filings in 2014 | Total Filings Per MDJ <sup>2</sup> |
|--------------------------------|--------------|-------------------|------------------------|---------------------------|------------------------------------|
| Hon. Eugene N. Ricciardi       | 05-2-27      | 64                | 2,274                  | 3,824                     | 6,098                              |
| Hon. Oscar J. Petite, Jr.      | 05-2-28      | 107               | 3,802                  | 2,195                     | 5,997                              |
| Hon. Ron N. Costa, Sr.         | 05-2-31      | 116               | 4,122                  | 1,401                     | 5,523                              |
| Hon. Hugh McGough              | 05-2-35      | 111               | 3,944                  | 1,761                     | 5,705                              |
| Hon. James J. Hanley, Jr.      | 05-2-36      | 153               | 5,436                  | 603                       | 6,039                              |
| Hon. James A. Motznik          | 05-2-38      | 121               | 4,299                  | 1,187                     | 5,486                              |
| Hon. Derwin Rushing            | 05-2-40      | 123               | 4,371                  | 1,668                     | 6,039                              |
| Hon. Robert P. Ravenstahl, Jr. | 05-2-42      | 111               | 3,944                  | 2,089                     | 6,033                              |
| Hon. Anthony Ceoffe            | 05-3-10      | 184               | 6,538                  | 429                       | 6,967                              |
| Hon. Kevin E. Cooper           | 05-3-12      | 127               | 4,513                  | 1,201                     | 5,714                              |
| Hon. Randy C. Martini          | 05-3-13      | 111               | 3,944                  | 2,583                     | 6,527                              |
| Hon. Richard G. King           | 05-3-14      | 56                | 1,990                  | 3,887                     | 5,877                              |
| <b>Total</b>                   |              | <b>1,384</b>      | <b>49,177</b>          | <b>22,828</b>             | <b>72,005</b>                      |

<sup>1</sup> Equals Yearly Sessions Assigned x 35.53 Cases Per Session

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



# SUMMARY APPEALS

Senior Judge Robert C. Gallo continues to preside over appeals arising from summary criminal convictions as well as civil statutory appeals of decisions by local and state administrative agencies. Civil Division judges also preside over civil statutory appeals.

Summary appeals involving crime code violations include cases of disorderly conduct, defiant trespass, obstructing traffic, harassment, retail theft, public drunkenness, and underage drinking. Appeals involving dog-licensing provisions and truancy are also heard by the Summary Appeals branch.

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

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



Senior Judge Robert C. Gallo

## SUMMARY APPEALS – CASE DISPOSITIONS

| Case Type                      | New Cases Filed 2014 | Cases Disposed 2014 |
|--------------------------------|----------------------|---------------------|
| Criminal Summary Appeals       | 3,027                | 3,121               |
| Motor Vehicle Code Suspensions | 1,167                | 997                 |
| Pittsburgh Parking Authority   | 8                    | 8                   |
| In Forma Pauperis              | 1,242                | 1,242               |
| Nunc Pro Tunc Appeals          | 609                  | 609                 |
| <b>Total</b>                   | <b>6,053</b>         | <b>5,977</b>        |



OF  
RICHARDSON  
1886

OF  
RICHARDSON  
1886





FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA – COUNTY OF ALLEGHENY

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