



Kathleen M. Rapone
Deputy Court Administrator
Criminal Division

OVERVIEW & ORGANIZATION

Management of the Municipal Court Criminal Division, like its Civil counterpart, is overseen by Administrative Judge Robert Blasi and President Judge Alan K. Silberstein. And, similarly, the lines of management for the Criminal Section include a Supervising Judge position — here occupied by Judge Louis J. Presenza. Eight major branches comprise the Criminal Division's organizational structure: 1) Criminal Administration; 2) Arraignment Court (Bail Commissioners); 3) Criminal Listings; 4) Summary Coding; 5) Courtroom Operations; 6) Court Reporters; 7) Private Criminal Complaints and 8) Emergency Protection from Abuse Unit.

The Criminal Division of the Philadelphia Municipal Court receives, processes, and disposes of more than 70,000 criminal offenses per year (22,000 felonies; 27,000 misdemeanors; 19,000 summary offenses and 2,000 private criminal complaints). For calendar years 1996 and 1997, the following averages were recorded: 1) total number of criminal proceedings filed — 70,000; 2) criminal cases disposed — 68,000; and 3) active criminal case inventory — 14,000.

The Office of the Criminal Deputy Court Administrator is charged with overseeing the non-judicial operations of the Criminal Division. Kathleen Rapone, Deputy Court Administrator for the Criminal Division, serves under Court Administrator Richard Simpson, the Supervising Judge of the Criminal Division, the Administrative Judge, and the President Judge of the Philadelphia Municipal Court.

Seventy-five employees in the criminal division are responsible for scheduling and processing and scheduling criminal proceedings among 21 criminal courtrooms. Personnel classifications include Bail Commissioners, Trial Commissioners, Court Reporters, Directors, Supervisors, General Tipstaves, Administrative and Clerical support staff.

PURPOSE

The Criminal Division of the Philadelphia Municipal Court provides service to the public, the Bar, criminal justice agencies and the judiciary. In matters concerning liberty, safety and property, special care is taken to ensure fair, compassionate, and professional treatment. Criminal Division objectives are identified as follows: 1) to advance access to facilities, information, service and justice; 2) to provide the public, the bar, criminal justice agencies, and the judiciary with enthusiastic and competent service geared toward prompt, and timely processing of criminal matters; 3) to equip employees with the tools, training and support needed for their personal growth related to continuing efforts to improve services; and 4) to work collaboratively with the public, the bar, criminal justice agencies and the judiciary to create a dynamic organization in the pursuit of greater excellence in service.

RESPONSIBILITIES

Criminal proceedings are initiated by arrest without warrant, arrest warrants, complaints filed by the District Attorney's Office, private criminal complaints, and summary citations issued by law enforcement agencies. (See Rule 6000 Pa.R.Crim.P. governing Municipal Court)

Adult misdemeanor and felony arrests and certain serious juvenile matters charged by the District Attorney's Office are scheduled for preliminary arraignment for formal bail proceedings. A principal goal of bail is to ensure court appearances with due consideration for community safety. Upon arraignment, defendants are scheduled for misdemeanor trials and felony preliminary hearings before Municipal Court Judges. Case flow management is a determining factor in listing practices. Held-for-court felony matters are scheduled for arraignment at the Common Pleas Court level, while "remands" and misdemeanor trials are within the jurisdiction of Municipal Court. Felony preliminary hearings are listed for dates within 3 to 10 days from the day of the preliminary arraignment. Misdemeanor cases are generally arranged for 30 to 45 days from arraignment to provide time for discovery. Criminal Listings systems incorporate daily police working squad practices to minimize police overtime that may be required for testimony. As is true in many busy organizations, routine clerical functions are the mainstay in continuing effective operations.

ACHIEVEMENTS

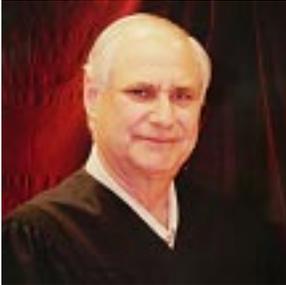
In CY 1996 and 1997, an average of 48,000 felony and misdemeanor cases, upon arrest, were charged by the Philadelphia District Attorney's Office and arraigned by Bail Commissioners in Municipal Court. Further, 19,000 non-traffic summary citations (retail theft, underage drinking, disorderly conduct, etc.) were issued by law enforcement agencies, and 2,000 private criminal complaints were approved by the District Attorney's Office and the Court. These produced approximately 68,000 dispositions

including felonies held for court, misdemeanor trials, diversion program dispositions, and criminal arbitration/mediation.

For CY 1996, 21,062 arraignments were conducted for felony matters, increasing slightly to 22,323 in 1997. In CY 1996, 22,641 misdemeanor cases were arraigned, with CY 1997 showing a 17% climb to 26,572 misdemeanor cases.

DEPARTMENTS

Bail Commissioners (Preliminary Arraignment Courtroom): In accordance with Act 187 of 1984, Bail Commissioners are quasi-judicial officers of the Municipal Court. Bail Commissioners preside in the Preliminary Arraignment Courtroom that operates 24 hours per day, 365 days a year. Commissioners are neutral authorities whose powers include administering Oaths and Affirmations, presiding at preliminary arraignments, setting bail consistent with pretrial release guidelines, conducting hospital arraignments, issuing criminal complaints, appointing counsel, scheduling court events, and issuing arrest and search and seizure warrants. Criminal Legal Clerks staffing courtrooms are responsible for the origination of criminal transcripts. Clerks' myriad duties include initial case flow management for all first listing felony and misdemeanor charges. In 1996, a video arraignment system was implemented to conduct proceedings from a central location which, through state of the art technology, is linked to five remote geographic locations throughout the City of Philadelphia. In 1997, the Preliminary Arraignment Reporting System (PARS) was introduced to electronically transmit data from arrest through arraignment. (See Rule 4000 Pa.R.Crim.P. governing specific Bail Rules)



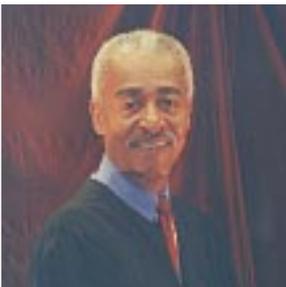
Judge Eric L. Lillian

Criminal Listings: The primary objective of the Criminal Listings Department is to maintain misdemeanor trial and felony preliminary hearing courtroom calendars for 18 criminal courtrooms. The department administers a master calendaring system and schedules approximately 50,000 cases each year. In addition to scheduling cases, the Criminal Listings department responds to requests for interpreter services, processes listing notices, prepares writs and statistical reports, and interacts with the public, the bar, the judiciary and other criminal justice agencies.

Criminal Coding: Employees of the Criminal Coding department process, translate into electronic code, and schedule non-traffic summary citations issued by various law enforcement agencies in Philadelphia. Many summary offenses, like disorderly conduct, prostitution, graffiti, and underage drinking, are quality-of-life issues. The unit processes approximately 20,000 citations per year. Additionally, special programs that are monitored through the unit include Night Court, alternative summary diversion programs, and graffiti court. On an ongoing basis, the unit assists community members, the judiciary, and criminal justice agencies with case flow information.

Courtroom Operations: Tipstaves assigned to the criminal courtrooms are key to effectively maintain control in courtrooms that are located in the Criminal Justice Center and police districts in Philadelphia. Tipstaves are responsible for coordinating high-volume trial and preliminary hearing lists for presiding judges. Additionally, Tipstaves provide courtroom security, swear in witnesses, mark evidence, guard entrances and exits, screen packages, enforce rules, and maintain courtroom decorum. Tipstaves also report statistical data for case flow management. In preliminary hearing rooms, Tipstaves act as clerks when they prepare necessary documentation for court proceedings. Two staff interpreters report to the Chief of Courtroom Operations supporting efforts toward the provision of equal access to justice. Moreover, staff services are augmented by per diem interpreters and a language line system for criminal interpreting operational needs.

Court Reporters: Court Reporters record verbatim testimony for criminal preliminary hearings and trials in Municipal Court. Court Reporters are assigned to preliminary hearing courtrooms where conditions for note produc-

Judge William
Austin Meehan, Jr.

Judge Ronald B. Merriweather



Judge John O'Grady

Supervising Judge
Louis G. Presentza

Judge Louis G. F. Retacco

tion activities are specifically defined. Reporter transcription activities are governed by court rules (Pa.R.Crim.P.9030 and 6012). Reporters produce notes of testimony for 25,000 preliminary hearings yearly. Notes for trials are produced on an “as needed” basis.

Private Criminal Complaints: The Private Criminal Complaint unit processes citizen complaints when crimes are alleged without police arrest. Complaints are approved by the District Attorney’s Office and Municipal Court Judges. The majority of private criminal complaints involve disputes between family members or neighbors. Frequently, misdemeanor charges include simple assault, terroristic threats, harassment, and theft by deception. Increasingly, insurance fraud claims are settled at the arraignment stage before Trial Commissioners. Other charges are diverted to arbitration or compulsory mediation to try to resolve issues or, when accord is not reached, these cases are scheduled before judges for disposition.

Emergency Protection from Abuse: The Emergency Protection from Abuse unit operates during non-traditional business hours for emergency petitions only. The unit is staffed by law-trained masters who conduct *ex parte* hearings and review petitions to determine if

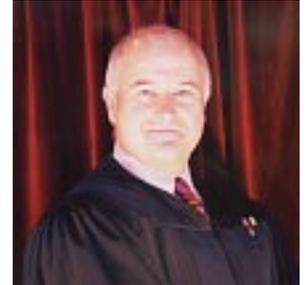
orders should be granted in accordance with the Protection from Abuse Act. Often, when emergency petitions are denied, cases are referred to the Abuse Assistance Unit of the Domestic Relations Branch of the Family Division of the Court of Common Pleas. Nonetheless, this unit issues approximately 4,000 emergency petitions annually for eventual review by Family Division Judges.

ACCESS TO JUSTICE INITIATIVES

Municipal Court works collaboratively with other courts in the First Judicial District to provide justice to citizens seeking interaction with the Court. The Court continues to furnish the public with broadened access to justice in a timely, courteous and effective manner. With an eye toward future gains in these areas, several programs have been instituted.

Night Court: In 1996, the Court introduced Philadelphia communities to the Night Court concept, where judges and staff voluntarily bring Court proceedings into neighborhoods to provide immediate hearings involving quality-of-life crimes.

Arbitration: Municipal Court provides arbitration for private criminal complaints to address underlying issues in order to prevent their escalation into criminal



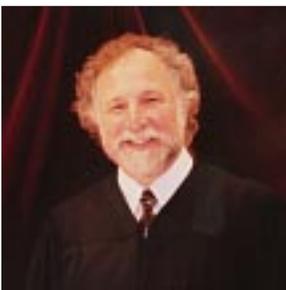
Judge Seamus P. McCaffrey



Judge Edward G. Mekel



Judge Marsha H. Neifield



Judge Harvey W. Robbins



Judge Felice Rowley Stack



Judge Craig M. Washington

complaints. As a result, parties are afforded mutually acceptable, usually beneficial outcomes.

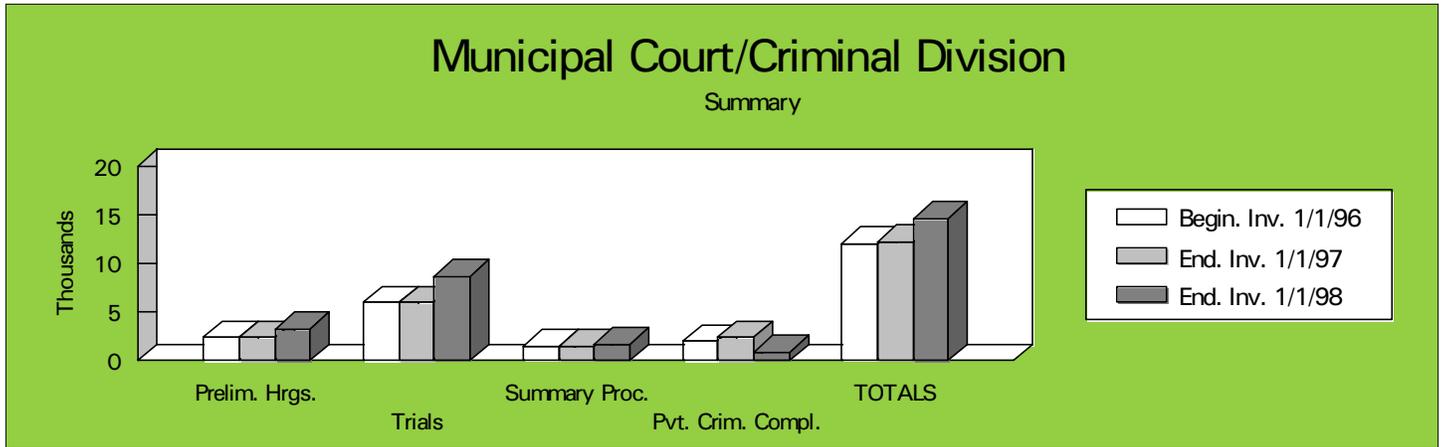
Treatment Court: More recently, the Criminal Division, under the leadership of the supervising judge, implemented a Treatment Court initiative to deal with one of the underlying causes of criminal involvement: drug addiction. The establishment of Treatment Court, a first for the Commonwealth of Pennsylvania, represents a new effort to bring the criminal justice and substance abuse treatment systems to bear more effectively on the substance-abusing criminal justice population. The approach relies on Criminal Court involvement and supervision in accordance with sound treatment practices, regard for public safety, and due process of law.

LINKAGES WITH OTHER COURTS AND PROGRAMS

Municipal Court maintains a close relationship with the Court of Common Pleas in case processing and scheduling. External criminal justice agencies, police, district attorney, public defender, prisons, etc. play major roles from arrest through arraignment proceedings. Their cooperative interactivity with the Court contributes to continuing efficiency from the inception of a case through final disposition on all levels. In developing and implementing new programs and initiatives, criminal division personnel have also cultivated relationships with other City agencies including the Mayor's Office, the Managing Director's Office, the Health Department, and treatment providers.



Criminal Justice Center, 11th Floor hallway

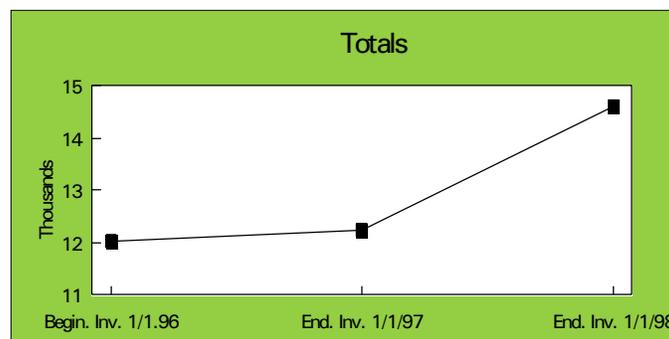
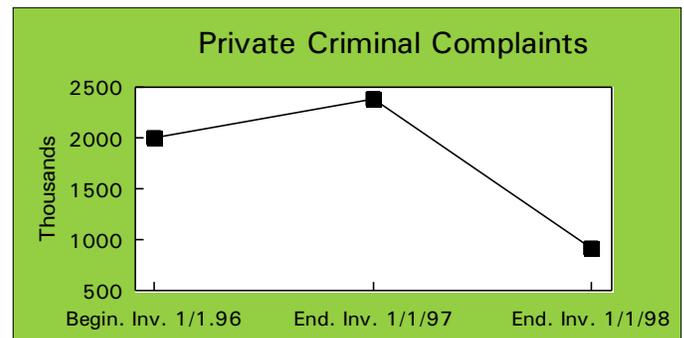
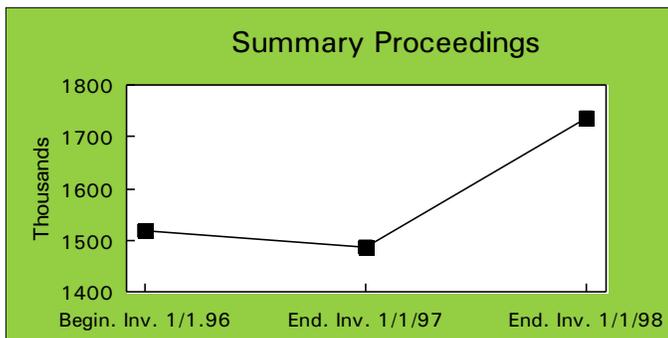
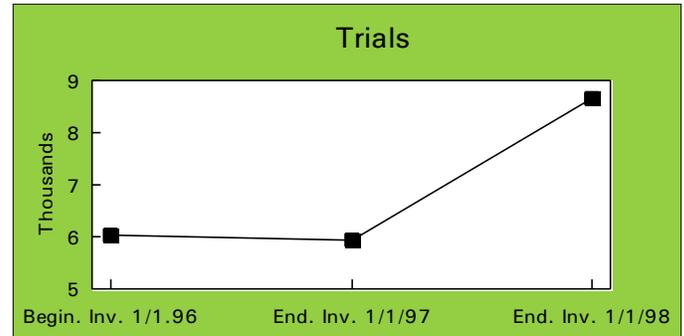
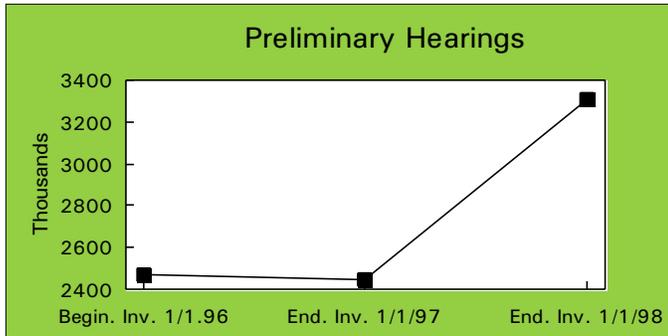


Year to Date 1996

	<i>Avail. for Disposition 01/01/96</i>	<i>Received During Period</i>	<i>Total to be Disposed</i>	<i>Total Disposed</i>	<i>Avail. for Disposition 01/01/97</i>	<i>Increase (Decrease)</i>
Preliminary Hearings	2,466	21,062	23,528	21,081	2,447	(19)
Trials	6,028	22,641	28,669	22,733	5,936	(92)
Summary Proceedings	1,519	19,307	20,826	19,339	1,487	(32)
Private Crim. Compl.	2,004	3,257	5,261	2,890	2,371	367
Total	12,017	66,267	78,284	66,043	12,241	224

Year to Date 1997

	<i>Avail. for Disposition 01/01/96</i>	<i>Received During Period</i>	<i>Total to be Disposed</i>	<i>Total Disposed</i>	<i>Avail. for Disposition 01/01/97</i>	<i>Increase (Decrease)</i>
Preliminary Hearings	2,447	22,323	24,770	21,461	3,309	862
Trials	5,936	26,572	32,508	23,847	8,661	2,725
Summary Proceedings	1,487	19,052	20,529	18,802	1,737	250
Private Crim. Compl.	2,371	2,313	4,684	3,775	909	(1,426)
Total	12,241	70,260	82,501	67,885	14,616	2,375



	<i>Preliminary Hearings</i>	<i>Trials</i>	<i>Summary Proceedings</i>	<i>Private Crim. Complaints</i>	<i>TOTALS</i>
Begin. Inv. 1/1.96	2,466	6,028	1,519	2,004	12,017
End. Inv. 1/1/97	2,447	5,936	1,487	2,371	12,241
End. Inv. 1/1/98	3,309	8,661	1,737	909	14,616