

**First Judicial District of Pennsylvania**  
OFFICE OF THE DISTRICT COURT ADMINISTRATOR



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August 19, 2011

Dear Fellow Citizens:

It is with great pleasure and pride that I present to you the 2010 Annual Report for the First Judicial District of Pennsylvania (FJD).

On behalf of the 125 Judges, six Magistrates, and 2,400 employees of the FJD, it has been an honor to serve all the litigants and community in the fair, prompt, and independent administration of justice for the City and County of Philadelphia.

The Judiciary has a very important and unique role in our system of government. Because of the size of Philadelphia, our courts encounter many complex issues and seek to render competent, practical resolutions to these issues.

As you can see from the following reports by court, I believe that the FJD has served you well. In addition, the FJD enjoys national attention as one of the premier court systems in the country.

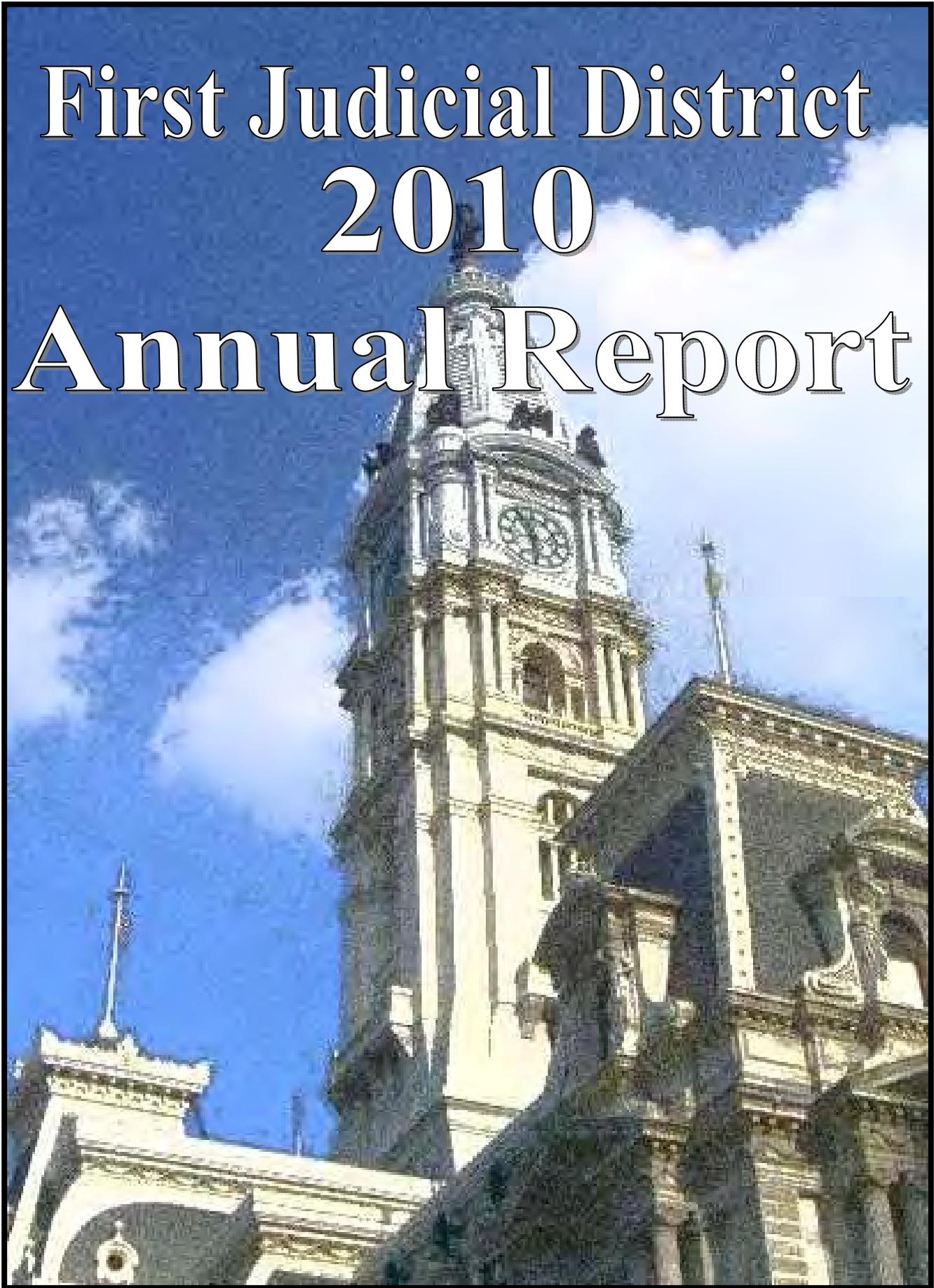
It is my desire that you find the 2010 Annual Report to be an informative and transparent look into the operations of your court system.

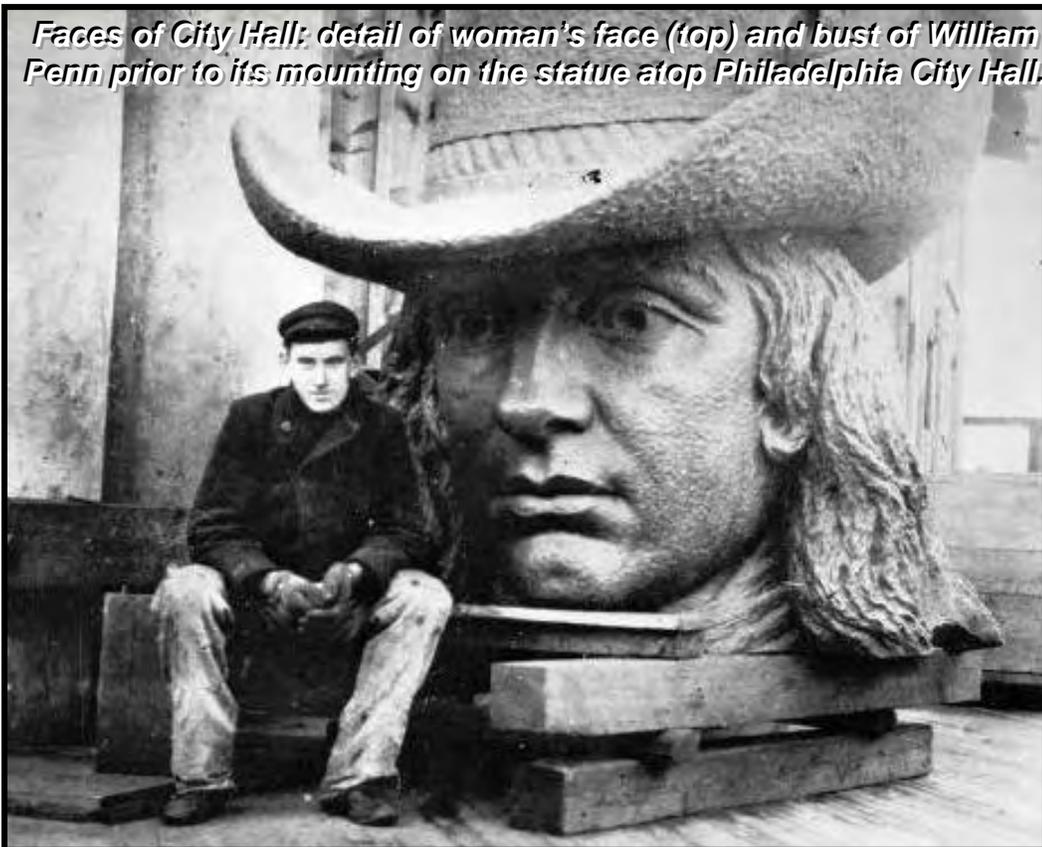
Sincerely,

A handwritten signature in blue ink, appearing to read "David D. Wasson III".

DAVID D. WASSON III, ESQUIRE

# First Judicial District 2010 Annual Report

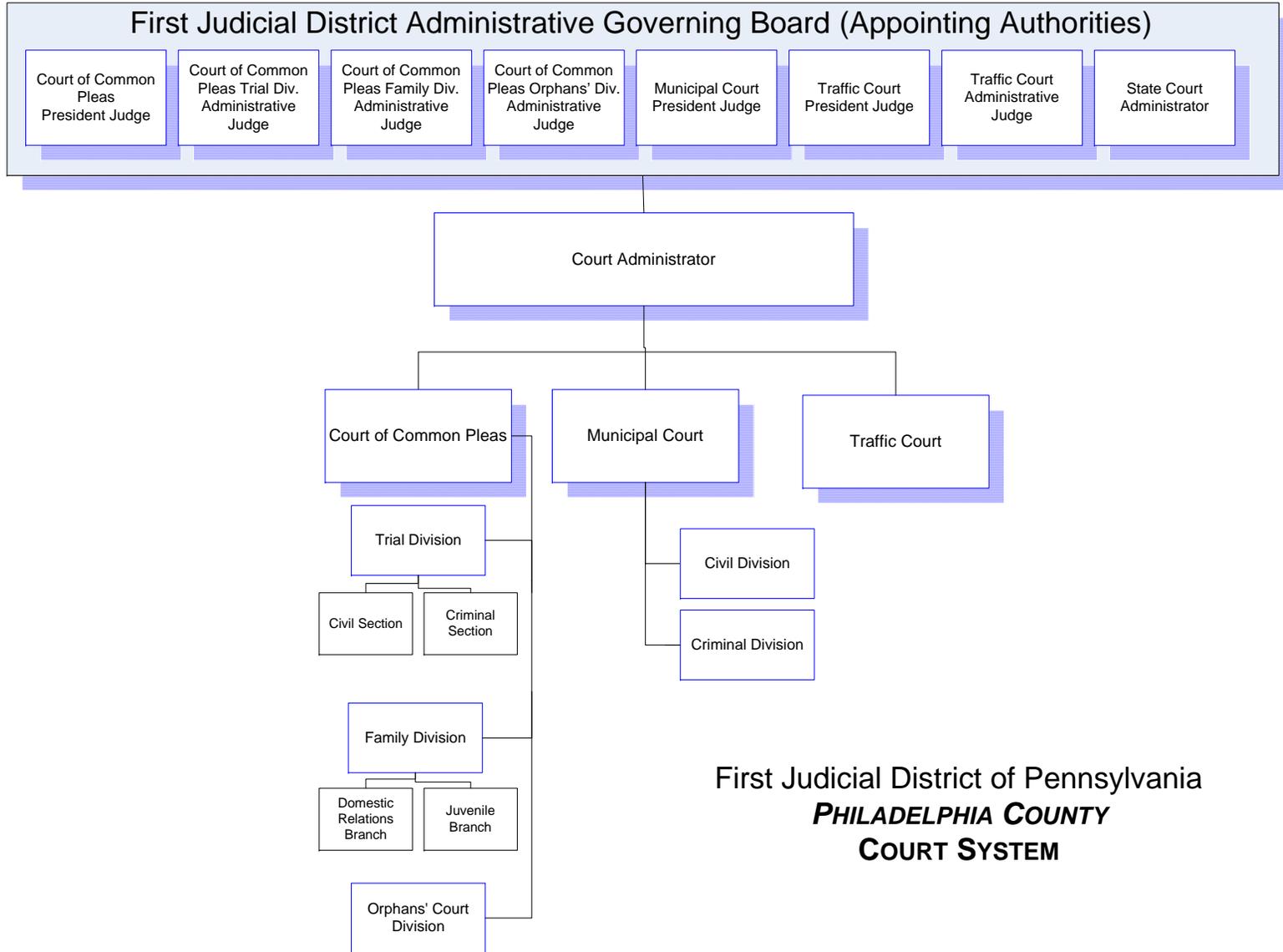




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# First Judicial District Organization



**First Judicial District of Pennsylvania**  
**PHILADELPHIA COUNTY**  
**COURT SYSTEM**

# First Judicial District of Pennsylvania

## Organization and Leadership

The state trial courts of the City and County of Philadelphia are collectively known as the First Judicial District of Pennsylvania (FJD). The first level of the organizational structure of the FJD comprises three courts. In turn, those constituent courts are composed of divisions that are themselves further subdivided into branches and sections. The three FJD courts are 1) the Court of Common Pleas; 2) the Philadelphia Municipal Court; and 3) the Philadelphia Traffic Court. The Common Pleas and Municipal Courts are each headed by a President Judge elected from among their peers on their courts' respective benches. The Traffic Court President Judge is appointed by the governor. Four Administrative Judges appointed by the Pennsylvania Supreme Court also help to direct the three divisions of the Common Pleas Court and the Philadelphia Traffic Court.

The judges in those leadership positions – the three President Judges and four Administrative Judges – together with the State Court Administrator, meet together as the First Judicial District Administrative Governing Board. The Board represents the highest level of management and leadership in the Philadelphia court system. *(More information about the Administrative Governing Board, including the biographies of its members, begins below on page 10.)*

### Court of Common Pleas

Led by President Judge Pamela P. Dembe since December of 2008, the Court of Common Pleas is a general jurisdiction court of record with three divisions: 1) the Trial Division; 2) the Family Division; and 3) the Orphans' Court Division. Each division is led by an Administrative Judge appointed by the Supreme Court of Pennsylvania. Descriptions of the three Common Pleas Court Divisions and the case types over which they have jurisdiction are outlined below.

#### Trial Division

The Court of Common Pleas Trial Division Administrative Judge is D. Webster Keogh. The Trial Division is subdivided into Criminal and Civil Sections. The Criminal Section has jurisdiction for all state court felony trials in the City of Philadelphia and appeals from the lower courts' (Municipal and Traffic Court) decisions. The Trial Division Civil Section generally has jurisdiction over civil cases with an amount of more than \$10,000 in dispute. Each section also has a Supervising Judge. (See the Municipal Court description on the next page for details on jurisdictions and linkages with the Common Pleas Court Trial Division.)

### **Family Division**

Led by Administrative Judge Kevin M. Dougherty, the Family Division is composed of the Juvenile Branch and the Domestic Relations Branch. The Juvenile Branch has jurisdiction over cases involving juvenile delinquency, juvenile dependency, truancy, incorrigibility, and adoptions. The Domestic Relations Branch is the jurisdiction for divorce, child custody, child and spousal support, and protection from abuse (domestic violence).

### **Orphans' Court Division**

The Orphans' Court Division is so-named from the sense that an orphan is an individual who needs the help of the court in seeing to their affairs and safeguarding their best interests. The Division is headed by Administrative Judge Joseph D. O'Keefe. Cases involving probate and the estates of decedents, minors, and incapacitated persons are heard in Orphans' Court.

## **Philadelphia Municipal Court**

Philadelphia Municipal Court is a court of record divided into the Criminal and Civil Divisions. Municipal Court is led by President Judge Marsha H. Neifield. There is no right to jury trial but appeals from Municipal Court decisions are heard as trials de novo in the Common Pleas Court. The appeal rate is very low at less than 3%.

### **Criminal Division**

The Municipal Court Criminal Division is the court for summary and misdemeanor trials. Felony case preliminary hearings are also conducted there. All arrests made in Philadelphia County must at least initially be processed through Municipal Court. In criminal cases, this is the beginning of the court's involvement even if final disposition is not reached there. Many felony cases are eventually tried in Common Pleas Court following their preliminary hearings in Municipal Court.

### **Civil Division**

The Municipal Court Civil Division is the jurisdiction for civil cases where the amount in controversy is \$10,000 or less for Small Claims; unlimited dollar amounts in Landlord and Tenant cases; and \$15,000 in real estate and school tax cases.

## **Philadelphia Traffic Court**

While not a court of record, the Philadelphia Traffic Court is the trial venue for all summary violations of the motor vehicle code in Philadelphia.

## Leadership Overview

**The Administrative Governing Board:** Composed of the three President and four Administrative Judges along with the State Court Administrator, the Administrative Governing Board oversees the management of the Courts of Philadelphia with the help of the FJD Court Administrator.

**The Office of the President Judge of the Court of Common Pleas:** Services overseen by this office affect the judiciary throughout the courts and divisions of the District. The 2010 President Judge was President Judge Pamela P. Dembe.

**The Office of the Court Administrator:** This position was created by the Supreme Court of Pennsylvania in 1996. David C. Lawrence was appointed as the FJD Court Administrator on July 10, 2006 and remained in the office throughout 2010. The Office of the Court Administrator oversees many of the FJD administrative and management services such as Data Processing, Human Resources, Management Analysis, Facilities, Financial, and Administrative Services. The Court Administrator attends meetings of the Governing Board, develops solutions to problems, and conceives and implements improvement measures throughout the District.

## Greetings from the President Judge

2010 marked our first full year with new President Judges in both Municipal and Common Pleas Courts. 2009 presented challenges to the First Judicial District, but the resolution of those challenges left this a stronger and better court system. We were faced with a substantial reduction in our county funding and were forced to plan for budget reductions ranging from 20 to 40%. Relying on increased operational efficiencies and retrained employees, along with an increased reliance on technology, we succeeded in improving performance without layoffs, furloughs, or court closures. Trial Division began reviewing all arrests so as to consolidate matters where one defendant has multiple cases, and to speed the resolution of probation and parole violations. Some of this was implemented through increased use of interactive video technology. This not only improved the speed and volume of our dispositions, but it also created substantial savings for the prisons, sheriffs, prosecutors, and defenders. This was one manifestation of a new spirit of cooperation and mutual assistance among justice partners developed in part through monthly meetings of the Criminal Justice Assistance Board (CJAB). A Common Pleas Mental Health Court was developed to complement the Municipal Court Mental Health Court.



*President Judge  
Pamela Pryor Dembe*

The Probation Department incorporated academic research results into its operations in order to concentrate supervisory resources on high-risk individuals deemed most likely to get into serious trouble on the streets.

Trial Division also implemented the universally applauded electronic filing system that raised revenue, reduced operational costs, and improved efficiency of processing civil matters. The Mortgage Foreclosure Diversion Program continued to win local and national acclaim. All branches of the court were involved in a remarkable program called Fugitive Safe Surrender which brought in many fugitives who voluntarily surrendered and had their cases resolved at a church in South Philadelphia.

Family Court won national recognition for successful child support collection, and court personnel and court users devoted much thought and effort to developing detailed plans for a new Family Court building.

Orphans Court also implemented electronic filing, and focused attention on supervising guardians. Municipal Court developed a Crash Court, and began planning for a Veterans' Court. Traffic Court substantially increased collections. Court-wide planning for continuity of operations (COOP) put us well in the forefront of disaster preparedness, and particular efforts were made to prevent and plan for a possible avian flu epidemic that fortunately never arrived.

Additionally, the Court disseminated the Supreme Court's policy on non-discrimination and equal employment opportunity.

While 2009 was a year of multiple challenges, the District's responses to those challenges throughout 2010 wrought multiple benefits, not the least of which was confirmation of the fact that teamwork – both within the FJD, and externally with our justice partners – when combined with ingenuity and hard work can turn problems into opportunities; opportunities we have used to better serve the people and communities of Philadelphia.

## **Administrative Governing Board**

### *2010 Administrative Governing Board*

**T**he First Judicial District Administrative Governing Board (AGB) is the “Board of Directors” for the Philadelphia Courts. The membership includes the three President Judges and four Administrative Judges of the District, along with the State Court Administrator. The President Judges are from the District’s three constituent courts: the Court of Common Pleas, the Philadelphia Municipal Court, and the Philadelphia Traffic Court. The Administrative Judges are from the three divisions of the Common Pleas Court of Philadelphia (the Trial, Family, and Orphans’ Court Divisions) and the Philadelphia Traffic Court. The addition of the State Court Administrator completes the membership of the AGB. Together, they work with the FJD District Court Administrator to conceive, develop, approve, and carry out the operations of the First Judicial District.

### ***Honorable Pamela Pryor Dembe***

#### ***Chair, Administrative Governing Board***

#### ***President Judge Court of Common Pleas***

**J**udge Pamela Pryor Dembe has been a Common Pleas judge for 21 years and is the President Judge of the Common Pleas Court. She is a graduate of Temple University School of Law and has lived in Philadelphia for approximately 40 years.

Judge Dembe is the Past President of the of State Trial Judges’ organization, the Pennsylvania Bar Association’s Criminal Law Section, the Brehon Law Society; and the Friends of the Free Library of Philadelphia. Presently, she is Vice President of the Board of the Free Library of Philadelphia as well as Vice President of the Temple Inn of Court and a member of the Board of the Lawyers’ Club of Philadelphia.

She is a member of the Union League of Philadelphia, serving on numerous committees, a trustee of Corinthian Yacht Club, and member of the Athenaeum, and the Orpheus Club.

In 2010 she was named a ‘Woman of Distinction’ by the Legal Intelligencer. She was a member of the Ring of Honor at the 2011 St. Patrick’s Day parade, and named an Inspirational



Irish Woman by the Commodore John Barry Society.

### ***Honorable Marsh H. Neifield***

#### ***President Judge Philadelphia Municipal Court***

**P**resident Judge Marsha H. Neifield was elected to the Philadelphia Municipal Court in 1997. Since her election, she has served on various committees and panels including the Municipal Court Criminal Justice Rules Committee, the Bail Commissioners (now Arraignment Court Magistrates) Committee, the PARS Committee, the Domestic Violence Law Enforcement Committee, and the Criminal Justice Advisory Board and its sub-committees. Under her direction, new case management procedures were initiated to streamline protracted cases and she was instrumental in developing and centralizing the current Municipal Court Mental Health Program. She served as Secretary to the Board of Judges of Municipal Court for six years. In January 2009, Judge Neifield was unanimously elected by her colleagues to serve a five-year term as President Judge.



Since beginning her term as President Judge, Municipal Court began a Veterans Court, expanded its usage of video technology to conduct hearings and has been actively working with other criminal justice partners to expand its diversion programs and community court prosecutions.

Judge Neifield has been a presenter at several CLE programs and has participated in Career Day Panels and criminal justice programs with elementary and high school students. She is a member of the Philadelphia Bar Association, a Zone Representative with the Pennsylvania Bar Association and a member of the Temple American Inn of Court. Judge Neifield serves on the Board of Genesis II.

Judge Neifield received her Bachelor of Science Degree from Syracuse University and her Juris Doctor from Temple University School of Law.

### ***Honorable Thomasine Tynes***

#### ***President Judge Philadelphia Traffic Court***

**J**udge Thomasine Tynes was born and educated in Philadelphia, Pennsylvania. In 1989 she was appointed by Governor Robert Casey to serve as a judge of the Philadelphia Traffic Court. She was subsequently elected by the voters. In March of 2005, Governor Edward G. Rendell appointed



her as President Judge of Traffic Court. Judge Tynes has eighteen years of distinguished service as the longest sitting judge of this Court. She also has the distinction of being the first African-American female ever to serve as a Traffic Court Judge and to be appointed as the Traffic Court President. Her reputation as a fair and dedicated jurist has prevailed throughout her career.

She achieved a degree in Minor Judiciary Law from Wilson Law College and a Bachelor of Arts Degree from Roosevelt University.

Before serving in the judiciary, Judge Tynes was Director of the Congregate Housing Services Program from 1983 to 1989. This federal pilot program was funded through the Philadelphia Housing Authority and provided seniors with medical, nutritional and legal services, along with homemaker skills to facilitate independent living within a controlled environment. She was Controller of a multi-million dollar sportswear conglomerate in New York City. She was proprietor and CEO of a successful automobile retail business, and earned a single-engine pilot's license. She has been an honored host of WHAT-AM (1340) Radio-talk entitled "Rappin' with the Judge", a program with an informational format describing the Traffic Court Process and the public's rights.

Memberships: As President Judge of the Philadelphia Traffic Court she is currently a member of the Administrative Governing Board of the First Judicial District of Pennsylvania. She was Treasurer and Assistant Secretary of the Clifford Scott Green Judicial Council (a chapter of the National Bar Association), a member of the American Bar Association, the Pennsylvania Bar Association, the Philadelphia Bar Association, and a member of the National Coalition of 100 Black Women.

The President Judge has amassed a large number of accommodations, citations, and awards in a variety of areas: she was featured on the Comcast Newsmakers Program in January 2008; in the Jackson Advocate Newspaper from Jackson, Mississippi in September 21-27, 2006; Jet Magazine - December 2005; and in the Atlanta Voice of Atlanta Georgia publications of July 26 through August 2, 2006. In addition, she won the Community Service Award from the Gadangme Educational & Cultural Foundation of Pennsylvania in December of 2006; recognition as A Living American History Maker at the Berean Institute 107th Founders Celebration in 2006; and the "Making a Difference Award" from the Philadelphia Comprehensive Center for Fathers – Life Changing Moments celebration in 2005. Judge Tynes also received the Madame C.J. Walker Award from the Pennsylvania Chapter of the National American's Heritage Society in 2000; the African American Movers and Shakers Award in 1998 and 2005; and a Certificate of Appreciation from Sisters in Touch, a Philadelphia Black Women's Health Project in April 2002. She was recognized as one of Philadelphia's Most Influential Leaders by the Tribune Magazine in January 2002 and January 2008. Further, she was honored as the Pennsylvania Breast Cancer Spokesperson for the "67 Women – 67 Counties: Facing Breast Cancer in Pennsylvania" exhibit, that toured the Commonwealth in 1999; she

received the WDAS-FM Women's History Month Honor in 1999; and she was inducted into the African American Legends Hall of Fame.

In March of 2010 President Judge Tynes was a faculty member for the Pennsylvania Bar Association where she taught courses about the policies and procedures of the Philadelphia Traffic Court for Continuing Legal Education (CLE) credits in the five counties of Bucks, Chester, Delaware, Montgomery and Philadelphia.

## ***Honorable D. Webster Keogh***

### ***Administrative Judge, Common Pleas Court Trial Division***

**O**n March 30, 2007, the Supreme Court of Pennsylvania named Hon. D. Webster Keogh Administrative Judge of the Trial Division, Court of Common Pleas. As Administrative Judge, he is the approving authority for all administrative matters associated with the Trial Division and a member of the FJD Administrative Governing Board, serving as Interim Chair in '08-'09.



After spending seven years in the District Attorney's Office and thirteen years in private practice, Administrative Judge Keogh was appointed to the bench of the Court of Common Pleas by then Governor Casey in 1991. Judge Keogh was later elected to the bench in 1993 and retained for a second term in November, 2003. He served as a section leader for major felony prosecutions before being assigned to the major trial section of the Civil Trial Division in 2000. Judge Keogh was named Supervising Judge of the Criminal Trial Division in 2001.

A graduate of St. Joseph's Prep ('64) and LaSalle University ('68), Judge Keogh received his Juris Doctor in 1971 from Mercer University Law School. He is a member of the Philadelphia and Pennsylvania Bar Associations as well as the Lawyers Club of Philadelphia; the Brehon Law Society, the Society of the Friendly Sons of St. Patrick, the Irish Society, the Philadelphia District Attorney's Alumni Association, and the LaSalle University Law Alumni Association. He has been elected three times to the Executive Committee of the Pennsylvania Conference of State Trial Judges. In 1985 and again in 1996, he was appointed to the House of Delegates for the Pennsylvania Bar Association. He has served as the Governor's appointee to the Pennsylvania Commission on Crime and Delinquency's Deputy Sheriff's Education and Training Board since 1996 and as the Chief Justice's representative to the Governor's Commission to Address Gun Violence. A Former 103<sup>rd</sup> Combat Engineer Captain, he also serves as a member of the Corporation of the First Regiment Infantry of Pennsylvania.

Administrative Judge Keogh has been a continuing legal education presenter on the "Pennsylvania Rules of Evidence," an instructor for Temple University on "Ethics and the Law," and a PBI faculty presenter at the Philadelphia Bar Association's Bench-Bar Conferences, and multi-presenter on Civil E-Filing in Philadelphia Courts.

Judge Keogh has been the recipient of distinguished and outstanding Judicial Service Awards by the Lawyers Club of Philadelphia; the John Peter Zenger Society and the Brehon Law Society.

Judge Keogh is married with three sons.

### ***Honorable Kevin M. Dougherty***

#### ***Administrative Judge, Common Pleas Court Family Division***

**J**udge Kevin M. Dougherty is the Administrative Judge of the Philadelphia Family Court. He was appointed by the Supreme Court of Pennsylvania on December 31, 2005. In his capacity, Judge Dougherty oversees both the Juvenile Branch and the Domestic Relations Branch of Family Court. The Juvenile Branch includes delinquency and dependency, Juvenile Probation, and the Youth Study Center. The Domestic Relations Branch includes Custody, Support, Divorce and Protection from Abuse/Domestic Violence Units. Judge Dougherty has presided in Family Court since being appointed in 2001. He served as Supervising Judge of Philadelphia Family Court, Juvenile Division, from 2003 to 2005. Prior to being elected Judge, he served as an Assistant District Attorney in Philadelphia County, as Partner of his own law firm, and as a Special Master to the Philadelphia Family Court Truancy Program.



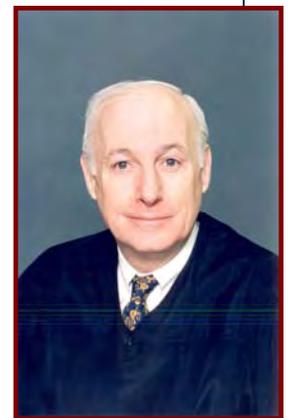
Judge Dougherty was appointed in 2003 to the Juvenile Court Judges' Commission by Governor Edward G. Rendell of Pennsylvania and currently serves as Vice Chair of the Commission. Judge Dougherty was appointed by the Supreme Court of Pennsylvania to the Domestic Relations Procedural Rules Committee in 2003. In 2007 the Supreme Court of Pennsylvania appointed Judge Dougherty to the Pennsylvania Children's Roundtable Philadelphia Committee, Bench Book Committee on Dependency Matters, and the Child and Family Service Review Committee. The Judge was appointed, by then City of Philadelphia Mayor John F. Street, as a member of the Children's Commission of Distinguished Leaders in Philadelphia, as well as member and Co-Chair of the Blue Ribbon Commission on Children's Behavioral Health, and the Philadelphia Education Advisory Task Force. Most recently, Judge Dougherty was appointed, by the City of Philadelphia Mayor Michael A. Nutter, to the College and Career Success Committee, City Wide Safety Cabinet-School Safety Advisory Committee.

On October 22, 2010, Arlene C. Ackerman, Ed.D., Superintendent of the School District of Philadelphia, and the Honorable Michael Nutter, Mayor of the City of Philadelphia, created a Blue Ribbon Commission to explore issues of youth violence and invited Administrative Judge Kevin M. Dougherty to serve on this Commission and to provide leadership in exploring the complex issues of youth violence in Philadelphia.

### ***Honorable Joseph D. O’Keefe***

#### ***Administrative Judge, Common Pleas Court Orphans’ Court Division***

**T**he Supreme Court of Pennsylvania appointed Judge Joseph D. O’Keefe as Administrative Judge of the Orphans’ Court Division in December, 2000. He was elected to the Court of Common Pleas in November, 1983 and re-elected for a second ten-year term in November, 1993 and a third ten-year term in 2003. Judge O’Keefe spent ten years in the Criminal Section of the Trial Division trying homicides and all major felonies. He served as the Civil Motion Judge for a three year period. Judge O’Keefe was the Team Leader of the Day Forward 1995 Program from January, 1997 to December, 1998. He served as Supervising Judge of the Complex Litigation Center from January, 1999 to December, 2000 overseeing all Mass Tort programs, Asbestos, Major Non-Jury, Arbitration Appeals, Landlord Tenant Appeals and the Penn-DOT Appeal cases.



As Administrative Judge of the Orphans’ Court Division, Judge O’Keefe worked to modernize court processes through technology and the Internet. He implemented a new case management and docketing system and improved access to the court through the addition of forms, materials and references to the Orphans’ Court web site. The Judge has sought out the assistance of, and improved relations between, the Probate Bar and the court. Judge O’Keefe received his B.S. from St. Joseph’s University in 1966 and his J.D. from Duquesne University in 1973. Judge O’Keefe is a current member of the Administrative Governing Board of the 1<sup>st</sup> Judicial District. The Judge formerly sat on the Pennsylvania Supreme Court Orphans’ Court Rules Committee and presently sits as a board member of the Jenkins Law Library.

## ***Honorable Bernice Ann DeAngelis***

### ***Administrative Judge, Traffic Court***

**I**n 1991, Judge Bernice DeAngelis was elected Judge of the Philadelphia Traffic Court and assumed office January 6, 1992. In May, 1996 she was appointed by the Supreme Court of Pennsylvania as Administrative Judge of Traffic Court and as a member of the First Judicial District Administrative Governing Board, and served in this capacity until December, 2000. In February of 2005, the Pennsylvania Supreme Court again appointed Judge DeAngelis as Administrative Judge of the Philadelphia Traffic Court and as a Member of the Administrative Governing Board.



Judge DeAngelis studied and was certified as Judge of the Philadelphia Traffic Court at Wilson College, Chambersburg. In 1992, she attended the American Bar Association Seminar at Georgia State University of Law. In 1993 and 1999, she attended classes at the National Judicial College in Reno, Nevada; also in 1999, she attended the American Bar Association Seminar at Tulane University School of Law, New Orleans, Louisiana. In 2000, she attended the American Bar Association Seminar at Northwestern University School of Law in Chicago, Illinois. In 2007, she attended the American Bar Association Seminar in Seattle, Washington.

## ***Zygmunt A. Pines, Esquire***

### ***Court Administrator of Pennsylvania***

**Z**ygmunt A. Pines, Esquire was appointed Court Administrator of Pennsylvania on October 18, 2000; Acting Court Administrator of Pennsylvania, January - October, 2000. Chief Legal Counsel, Administrative Office of Pennsylvania Courts, 1991-99; Assistant Chief Attorney, Superior Court of Pennsylvania, 1978-91; Chief Legal Counsel to Governor's Commission on Judicial Reform, 1987-88; Adjunct professor, University of Pennsylvania, 1986-91; Adjunct professor Villanova Law School, 1984-85; Private practice, 1975-78. Mr. Pines is the author of various publications on criminal justice, appellate procedures, ethics, and court security. *Member:* Judicial Council of Pennsylvania; Pennsylvania Judicial Council's security and strategic planning sub-committees; Governor's Pandemic Advisory Council; Pennsylvania Commission on Crime and Delinquency; Pennsylvania Association of Court Management; Administrative Governing Board of Pennsylvania's First Judicial District (Philadelphia); Pennsylvania Supreme Court's Investment Advisory Board; U.S. Marshall's Service (Executive Advisory Committee); U.S. Department of Justice-Sponsored National Advisory Board/Judicial Education Project on Victims' Rights; Co-chair of Conference of Chief Justices/Conference of State Court Administrators Joint Committee on Security and Emergency Preparedness; member

of CDC/DOJ Taskforce on Public Health Emergency Preparedness; Criminal Justice Information Services Advisory Policy Board; Conference of State Court Administrators (COSCA) Board of Directors (2005-08) (2011- present); COSCA Regional Mid-Atlantic Committee; National Association for Court Management. He was also a recipient of the Warren E. Burger Award (2010), from the National Center for State Courts for Excellence in Court Administration. Education: B.A., Wilkes College, 1970; J.D., Cleveland State University College of Law, 1974 (cum laude); LL.M., University of Pennsylvania Law School, 1978.

## First Judicial District 2010 Opportunities and Responses

### *Trends that District leaders see as opportunities*

#### ***Opportunity: Resolve Problems that Cause Crime to Prevent Crime***



Philadelphia Municipal Court judges, administrators, and employees continue to help defendants resolve their problems to combat addictions and recidivism while bolstering safety in the community.

**Judge William Meehan, Jr. and the FJD Treatment Court Team** (from left) Case Manager John Berry, Case Manager Mary Santangelo, Case Manager Robin Houston, Case Manager Brittany Clement (Back), Case Manager Lavon Wilson, Case Management Supervisor Otis Shannon (Back), Case Manager Jelissa Carias, Case manager Erwin Joyce (Back), Case Manager Cynthia Pena, Case Manager Elizabeth Pagonis (Back), Case Manager Joy Walters, and Case Manager Jeffrey Deeney.

#### ***Opportunity: Engage Young People in the Judicial Process***



Each year, some 300 children visit City Hall to take part as jurors in three trials based on fairy tales. They take their roles seriously and enjoy their day in court as part of the PBA Young Lawyers' Section Law Day celebrations.

**President Judge Pamela Dembe and Administrative Judge D. Webster Keogh** with some of the schoolchildren Taking part in the "Goldilocks" trial.

### ***Opportunity: Provide Educational Courses for Judges***



The Judicial Education Committee of the Philadelphia Court of Common Pleas provides course programming to keep judges up to date on issues that they themselves choose. Scores of programs are presented each year. Many judges both present courses and benefit from those conducted by their colleagues and other experts.

*Judges Holly Ford Ramy Djerassi, Lisa Rau, the 2010 Bar Association Chancellor, President Judge Pamela Dembe, Administrative Judge D. Webster Keogh, and Judge Roslyn Robinson led the Education Committee's efforts.*

### ***Opportunity: Provide Experience for Law School Interns***



Each year, the court system engages law school students to work with judges and their staff to get practical experience in the judicial process.

*A Student Intern and Judge George Overton enjoy the annual luncheon at the conclusion of the program for the year.*

### ***Opportunity: Fight Recidivism Caused by Mental Illness and Addiction***



The Common Pleas Mental Health Reentry Court helps select inmates leave jail early and return to the community with strict supervision and care for their mental health and substance abuse issues.

*Judge Sheila Woods-Skipper (right) a case worker (center) and a Mental Health Court participant celebrate the attainment of goals by the former inmate.*

## Court of Common Pleas

**T**he Courts of Common Pleas are Pennsylvania's courts of general trial jurisdiction. They have existed since the colonial charter of Pennsylvania, and are incorporated in the Pennsylvania Constitution of 1776. The complement of judges for the Court of Common Pleas of Philadelphia County is set at 93 full-time judges. In 2010, 91 full-time judges were generally assigned along the following proportions: Trial Division (66), Family Division (22) and Orphans' Court (3).

The Court of Common Pleas is supervised by a President Judge who is elected for a five year term by the Judges of the Court of Common Pleas. For 2010, the Honorable Pamela P. Dembe was the President Judge of the Court of Common Pleas of Philadelphia. She was elected by the other members of the Common Pleas Bench as President Judge for a term that commenced on December 8, 2008.

### Office of the President Judge

The President Judge:

- initially assigns all newly appointed or elected Judges to one of the divisions of the court, and may request from the Supreme Court the assignment of Senior Judges to help dispose of Philadelphia County's case-inventory, and the appointment of out-of-county Judges to assist the court in conflict cases;
- directs space allocation within the Court of Common Pleas and assigns judicial chambers;
- is responsible for the implementation of local rules as adopted by the Board of Judges, and for the initiation of administrative orders, directives, or general court regulations as may be mandated or authorized by various court rules and directives, as well as legislative enactments;
- is responsible for preparing an Emergency Judge Schedule assigning a Court of Common Pleas Judge to act on emergency matters during off-court hours, as well as ensuring that Election Court, with numerous satellite locations, is judicially staffed during the primary and general elections in order to enable all citizens to exercise their right to vote;
- supervises the Office of the Prothonotary, the Court Law Library (all locations), and the Court Messenger Service;

- supervises the Mental Health Review Officer(s) who act on behalf of the court in hearings pursuant to the Mental Health Procedures Act of 1976, as amended;
- entertains all petitions which seek to modify monetary judgments issued against defendants accused of criminal offenses, and their sureties, when defendants violate the terms of their bail and fail to appear for court hearings; and
- maintains a Disbarment Docket of local attorneys who are suspended or disbarred by the Supreme Court.

### **Civil Mental Health Program**

The Office of the Court of Common Pleas President Judge oversees the Civil Mental Health Program. State law requires the President Judge to appoint Mental Health Review Officers who hear civil petitions involving involuntary civil commitments. The hearings are held for the purpose of authorizing involuntary mental health treatment to individuals who suffer from mental illness and pose a clear and imminent danger to themselves or others. Mental Health Review Officers are required to be lawyers with experience in Mental Health matters.

The Mental Health Procedures Act of 1976, as amended, provides that individuals who have been involuntarily committed under Section 302 of the Act (which does *not* require a court order) must be released within 120 hours unless a petition filed with the Prothonotary is heard by a Mental Health Review Officer before the expiration of the 120 hour period, and additional involuntary treatment is authorized by the Mental Health Review Officer. Ordinarily, when Section 303 petitions are filed, they must be scheduled, heard, and decided within a 24-hour period.

To assist in the filing, scheduling, and disposition of mental health petitions, the Office of the President Judge, with the support of the Prothonotary and the Office of the FJD Court Administrator, developed and implemented an innovative FJD web-based Civil Mental Health Electronic Filing Program and Case Management System that is accessible through the FJD website: <http://courts.phila.gov>. Fully implemented in Calendar Year 2001, the Civil Mental Health Electronic Filing Program provides for secure filing of all mental health petitions through the Internet by almost 30 mental health providers throughout the Philadelphia area, and a State Correction Institute at Waymart. All communication with the Mental Health Electronic Filing website occurs over a secure encrypted communications channel (SSL), equipped with a firewall. To log on, a First Judicial District-issued User Name and Password must be utilized by every authorized user. Different user profiles have been created, and each profile has different access rights to the system's functionality and the data stored within the system.

Counsel for the parties, the Mental Health Review Officers, and the treatment facilities'

representatives are able to view petitions on-line, in real-time. Moreover, each of the Mental Health Review Officers is able to log-on and access their assigned daily hearing lists and pleadings filed in each case. As each case is heard, applicable orders are prepared and filed on-line with the Prothonotary. Service of the pleadings and issued orders is accomplished via e-mails that are automatically sent to the interested parties in compliance with the notice requirements of Pa. R.C.P. No. 236. All parties are able to comply with the time-sensitive requirements of the Mental Health Act and provide the required mental health services to the citizens of Philadelphia County. All Civil Mental Health participants have benefited from this very important initiative completed by the Offices of the President Judge and Court Administrator.

First Judicial District Mental health hearings are recorded utilizing state-of-the-art digital systems that meet the strict requirements imposed by the court. Digital audio files of the hearings are stored and maintained by the District as required by record retention policies, and are available for transcription as needed.

In Calendar Year 2010, a total of 6,090 mental health petitions were filed by 29 medical treatment facilities. These were heard at six hearing locations throughout Philadelphia County, and also at the State Correctional Institute at Waymart, Pennsylvania. A total of 4,997 cases involved involuntary treatment for up to 20 days; 475 cases involved involuntary treatment for up to 90 days; 434 cases involved involuntary treatment for up to 180 days; 183 cases involved hearings to determine whether patients could be subjected to treatment involving greater restraint (i.e. from outpatient to inpatient treatment, or to a more restrictive facility); and one involved a petition for review: an appeal from the determination of a Mental Health Review Officer to the President Judge of the Court of Common Pleas.

## **Office of the Prothonotary**

### **Organization and Responsibilities**

The Prothonotary of Philadelphia is responsible for processing and maintaining the millions of documents that directly and materially affect the legal relationships and legal commerce of the citizens of Philadelphia. The goal of the office is to improve, through innovation and technology, the art and science of record keeping.

Working under the direction of the President Judge of the Court of Common Pleas and the Board of Judges, the role of the Prothonotary includes the daily operation of various units and departments which include the Electronic Filing Unit; Appeals/Certifications; Civil Commencement; Current Records; Finance; Judgment Index; Liens; United States Passport; Older Records; Public Information; Quality Assurance; Adoption Unit; and Family Court Filings.

## **First Judicial District Civil Electronic Filing Program**

In anticipation of the implementation of electronic filing, in March 2008 the Prothonotary's Office commenced the process of scanning all documents and linking them to the FJD Civil Case Management System.

In January 2009, the Office of the Prothonotary and the Trial Division – Civil implemented a mandatory Civil Electronic Filing System. It was successfully designed in-house and implemented as web-based system that fully integrates electronic filing and an electronic document management system within the existing case management system. The electronic filing system contains an electronic service and notification component. Through this process, the registered parties in each case are notified via electronic notification whenever a pleading, motion, notice, or order has been filed or issued by the court.

Today, court customers send and receive documents, pay filing fees, notify other parties, receive court notices and orders, retrieve court information, and review case inventory and electronic filing history electronically. The parties to an action save time and the costs of transporting materials to the courthouse. In addition, users have improved access to pleadings and other documents.

A reliable and accurate case filing system is fundamental to the effectiveness of day-to-day court operations and fairness of judicial decisions. The maintenance of case records directly affects the timeliness and integrity of case processing. The FJD Electronic Filing System meets these measures.

Extensive training sessions were conducted at nearly every major law firm in the City of Philadelphia, the Philadelphia and Montgomery County Bar Associations, and within the First Judicial District of Pennsylvania in order to educate the public and the bar on the use of the electronic filing system.

### **Specialized Services Provided**

Prothonotary employees serve the public and the bar on a daily basis providing personalized and specialized assistance in various capacities. Some of these services are listed below.

#### *E-Filing Center*

The E-Filing Center was established to ensure access to justice for all filers including those who do not have access to a personal computer. The center is located in Room 280 City Hall and equipped with six personal computers and Internet access so that filers can register for an e-mail account and/or register for and gain access to the First Judicial District E-Filing System. A highly skilled and knowledgeable staff is assigned to the center to assist the public with this process. Staff in this center guide filers through the E-Filing process, scan their documents for attachment to E-Filing submissions, and provide any other procedural assistance or information

possible. The center personnel are also responsible for monitoring the E-Filing Support E-Mailbox and the E-Filing Support Hotline. These mailboxes are checked and cleared on a daily.

#### *Judgment Unit*

The Judgment Unit of the Prothonotary's Office has been updated and expanded for greater operational efficiency and lower costs. Today, the public is able to search and review all judgments, liens, and the divorce index electronically. This eliminated the need to print dozens of judgment books on a monthly basis; a task that had cost the court approximately \$12,000 annually. The Judgment Unit is responsible for providing copies of liens and judgments, certifications of motor vehicle judgments and judgment searches for name change petitions. This office is also responsible for conducting name and judgment searches for the Pennsylvania Board of Probation and Parole Sexual Offenders Assessment Board. As a result of the automation of the judgment index, the Prothonotary was able to add four additional computers to this office for a total of 12 public access terminals. If necessary, the public may also access the judgment and divorce indexes from the public access computers located in the E-Filing Center.

Additionally, the public is able to search and view other electronic documents located on the civil docket from the computers located in the Judgment Unit.

#### *United States Passports*

The Office of the Prothonotary is an official acceptance agency of the United States Passport Agency. Passports and renewals of passports are processed on a daily basis in Room 284 City Hall. From time to time, the office conducts community service drives when employees visit senior citizen centers and schools in order to process passports and renewals onsite. In 2010, we processed more than 600 passports for the citizens of Philadelphia.

#### *Certifications/Appeals Unit*

The Certifications Unit is responsible for certifying various documents, including, but not limited to, records, judgments, civil docket reports, civil orders, satisfactions and discontinuances, letters rogatory (*letters requesting information, especially information that might be pertinent to a court case*), commissions for out-of-state depositions, adoption and divorce decrees, and charters. This office is also responsible for maintaining the notary registry for Philadelphia, which has recently been automated to include electronic signatures of all notaries. In addition to those services, this office is responsible for processing all civil court appeals to the Superior, Commonwealth, and Supreme Courts of Pennsylvania, as well as transfers and removals to other courts or jurisdictions.

#### *Records & Scanning Unit*

With the implementation of electronic filing, the Records & Scanning Unit now prints approximately 70% of all copying requests from the First Judicial District Document Management System.

This office is responsible for scanning documents filed in the traditional paper format and any and all orders issued by the Court. In early 2009 Prothonotary's Office employees began the process of back-scanning all liens. Since this process was begun, approximately 66,000 IRS liens filed between 1991 to the present, and approximately 25,000 Waivers and Mechanics Liens have been scanned. With the implementation of E-Filing, over 90% of pleadings and documents are electronically filed. With no need to purchase and create paper files, about \$5,000 is saved every month.

### *Training*

The Office of the Prothonotary and the Quality Assurance Unit conducted extensive training sessions in almost every major law firm in the City of Philadelphia. In response to the requests from the Philadelphia Bar Association to provide Continuing Legal Education credits to attorneys, application was made to the Pennsylvania Continuing Legal Education Board for approval of an electronic filing training course that provides three credit hours of substantive law. Additionally, the Board was asked to approve one credit hour of substantive law for all legal staff of the First Judicial District. Both courses were approved by the Pennsylvania Continuing Legal Education Board.

### *Goals and Challenges*

- Continue to provide outstanding customer service to the public and the bar
- Continue to operate as a high-performance office by providing as much procedural information and assistance to the public as is permitted
- Continue to conduct immediate reviews and approval of all filings
- Monitor and enhance the Civil Electronic filing system process and procedures
- Provide continued training to members of the bar and the public on the use of the electronic filing system
- Provide adequate resources and continued training and cross-training to staff of the Office of the Prothonotary in order to meet the growing demand for court services
- Continue with the process of back-scanning all documents filed with the court prior to the implementation of electronic filing

# Trial Division of the Court of Common Pleas

## Criminal Section

### Overview

While Calendar Year 2009 was described in this space as having “brought many challenges,” Calendar Year 2010 could be described as having brought many successes. Granted, the challenges continued, and the Division’s judges, administrators, and employees worked hard to overcome them. But overcome them they did. Moreover, in 2010 they went well beyond merely responding, by taking bold affirmative steps generated by new ideas. They initiated new programs, new courts, and new ways of dispensing justice to make 2010 a banner year in the criminal courts in Philadelphia. More and even greater accomplishments are anticipated for the future as these new initiatives are cultivated and new ideas emerge.

The year 2010 marked a sea change in the way criminal justice is handled in the First Judicial District. The Criminal Justice Center (CJC) has been totally reorganized into geographically-prescribed Zone Courts with each floor designated for a different geographical Police Detective Division. While the initial challenges of moving and rescheduling thousands of cases were staggering, they were nonetheless overcome. Among other advantages, the concept has meant that police witnesses are more readily available with no need to travel to different floors, but the reorganization also inspired and facilitated the invention and installation of other programmatic and management improvements – and these have paid off handsomely.

“SMART” rooms on each floor serve as clearing houses where some cases are assigned for trial, pleas are accepted, and multiple cases pertaining to one defendant are consolidated to do more in less time while continuing to coordinate and improve the quality of justice. Rules changes have also engendered systemic improvements. As a result, the incidence of Discovery issues have decreased by more than half (52%) for Majors cases, and by more than two thirds (68%) in List cases. During the first two months of operation, SMART rooms produced fully half of the total pleas made in that time. In addition, pleas made up a greater proportion of the total dispositions as the number of dispositions increased by an average of 180 cases per month over 2008 levels. In the aggregate, there were over 2,000 more dispositions in 2010 (16,740) than there were in 2008 (14,578). During the first full year of FJD Mental Health Court operations, qualifying inmates were released under strict probation supervision and behavioral health follow up by Department of Behavioral Health teams. In 2010, 372 incarceration days were saved, prison costs were cut by more than \$36,638, and recidivism is reportedly decreasing. The number of advanced review and consolidation cases jumped by almost 1,000 or 58% over 2009 levels.

The 117-case decrease in jury dispositions is positive movement. The number of Gun Court dispositions increased, negotiated pleas increased, and the conviction rate increased. While the number of video hearings increased by 14% from 2008 to 2010, the savings on transportation costs increased by 56% during that time.

Although the judges, administrators, and employees were cognizant of the successes of the efforts, these yearly reviews have provided the proof of their work. They continue to plan, innovate and work hard to make the future even more successful than the present.

### **Trial Division – Criminal – Pre-Trial Service Division**

The First Judicial District of Pennsylvania, through its Pretrial Service Division operates a full service bail agency. The agency is responsible for many of the components within the Criminal Justice process, from arrest to adjudication. The agency acts as the informational gatekeeper for all arrested and charged individuals and is responsible for monitoring, supervising and enforcing conditions imposed on released individuals.

The mission of the agency is to service the judiciary, administration, and employees of the First Judicial District and to serve the public by providing a responsible program of pretrial release alternatives and enforcement mechanisms. The agency has five main units: Arraignment/Bail Acceptance, Accounting, Electronic Monitoring, Bail Services/Supervision and the Warrant Unit. A description of each unit is provided below.

#### ***Arraignment/Bail Acceptance***

Arraignment Interviewing operates 24 hours a day, 7 days a week at 1401 Arch Street. Information is collected by staff for all arrested adults. The information includes defendants' personal history, references, employment, family ties, financial history, and criminal history. Verification of address and personal data is performed by telephone with a reference in the community. The information is then used to calculate a release guideline. The entire package is presented to a judicial authority or Arraignment Court Magistrate for a bail determination.

The role of the unit is to facilitate the judicial decision maker by providing detailed personal information, charge severity, and the likelihood for pretrial misconduct in order to arrive at a bail determination. All adults charged with misdemeanors or felonies in Philadelphia are interviewed by employees of this unit at six Detective Divisions and at Police Headquarters via video located at 1401 Arch Street. During calendar year 2010, the unit interviewed and processed 49,464 defendants prior to their Preliminary Arraignments.

This Unit has instituted steps to render assistance to the Accounting Unit for collection of fines and costs. Telephone inquiries seeking information about making payments are answered

every day. Personnel help people to create Payment Plans online and each person scheduled for a Payment Hearing is contacted by telephone.

In addition to the above, the unit also accepts and processes bail and fines. Payments are also accepted for Domestic Relations Branch cases and Traffic Court Scofflaws if the payment will permit a release from custody. There is a bail-acceptance cashier window located at the Criminal Justice Center and a remote site in the lobby of the County Jail in the Northeast. The prison site allows sureties to post bail at the incarceration site to expedite the release process.

Presently, the Prison site is open Monday through Friday from 8:00 A.M. to 11:00 P.M., while the Criminal Justice Center is staffed 24 hours a day including weekends and holidays. Below are the bail acceptance statistics for 2010:

Total Bails Accepted (CJC)	24,583
Total Bail Posted Amount	\$18,383,536
Total Bails Accepted (Prison)	3,404
Total Bail Posted Amount	\$2,740,490
Total Fines/Cost Payments	167
Total Fines/Cost Posted Amount	\$18,770

### ***Accounting Unit***

Accounting Unit staff operates the First Judicial District (FJD) collection center located at 1401 Arch Street. While employee responsibilities have evolved in response to changes brought on by the installation of the Common Pleas Criminal Case Management System (CPCMS) in 2006, current responsibilities include:

- Processing payments for court imposed fines/costs, fees and restitution
- Assessing OSP (Supervision Fees)
- Creating and managing payment plans
- Verifying and correcting current assessment balances
- Satisfying liens and payoffs
- Scheduling and conducting payment plan status hearings
- Responding to restitution inquiries
- Dunning and 3<sup>rd</sup> party collection processes

A staff of 17 very dedicated employees makes up the unit. However; success has always depended upon the cooperation of other units and departments within the FJD and City of Philadelphia. These include but are not limited to Pretrial Services, Adult Probation, and Community Court which are also located at 1401 Arch Street. On a daily basis, Accounting Unit

staff interact with other units, research facts, and reply to requests for information on a variety of issues to ensure that payments and assessments are properly placed on offenders.

Although a behind the scenes operation of a court system, the Accounting Unit provides a distinctive benefit to the community, the rest of the FJD, and the state and local governments. Monies collected for restitution to private individuals and companies, and funds collected as fines and costs that go to state and local governments, can provide much-needed revenue.

Operating two cashier windows during business hours (8:00AM to 5:00PM), employees collect and process payments for court-imposed fines or costs, fees, and restitution. More than 50,000 offenders on active probation, an additional 40,000 reporting to the Pretrial Service Division, and countless other Community Court cases are the main source of “walk in” and mail payments processed at the main office. The unit also processes bulk check payments from Traffic Court and the Pennsylvania Department of Corrections as well as lockbox payments received from the FJD third party collection vendor. In 2010, unit cashiers processed more than 135,301 payments totaling \$6,816,662.

Along with the regular payments, unit staff also processed payments received as result of special projects and activities. Adult Probation and Parole Department Late-Night appointments, held the first Wednesday of every month, resulted in more than 1,037 payments totaling \$45,430. This figure represents only the money collected on the dates of the hearings and does not include subsequent payments as result of payment plan agreements.

Unit staff manually review all dockets sentenced to probation or parole for the assessment of Offender Supervision Program (OSP) fees (supervision fees). This process involves researching all open APPD events since OSP is assessed on the person not the case. Credit must be calculated for docket overlap in supervision. In 2009, meetings were held with APPD Administrators in attempt to try and reduce the manual processes needed for assessment. It is hoped that while it doesn't appear that the assessment process will be automated, the amount of time required to calculate and assess could at least be reduced.

Payment plans are created and or amended as soon as a docket records a sentence. Of these plans, all except for Community Court, Treatment Court, and ARD plans are created by the Accounting Unit. A minimum payment of \$35 per month has been established and is used on all plans unless otherwise ordered by a judge at time of sentencing. Along with the creation of new plans, if a defendant already has a plan and receives a new docket, assessments on that docket are added to the existing plan. Plans are also modified as result of payment plan hearings, violation hearings, or court orders. In 2009, a report modification request was completed that enabled staff to identify dockets not on payment plans. Also, in Calendar Year 2010, the Unit established an email site [paymentinquiries@courts.phila.gov](mailto:paymentinquiries@courts.phila.gov) and three voice mailboxes to

respond to payment plan inquiries. It is the goal of the Unit to respond the next business day to these contacts. The voice mailbox averages 80 to 90 calls per day.

Payment plan hearings are designed to promote a pattern of regular monthly payments by defendants to satisfy their total financial obligations. Rather than addressing individual cases, these hearings deal with monies owed on all of a particular defendant's dockets. Defendants are given the opportunity to present evidence of errors in their accounts so that adjustments can be made. In mid 2010, payment plan hearings were increased to two per week. Heard in Room 1101 of the Criminal Justice Center, hearings present payees with an opportunity to present evidence to the Judicial Authority in support of payment adjustments and to return to payment compliance. It is also an opportunity for those on public assistance or others residing in court stipulated half-way residences to schedule payments so as not to lose benefits. They must be in monthly compliance in order to continue to receive services. Payees are able to negotiate reduced monthly payments based on proof of income. In calendar year 2010, 51 hearings were held to review 649 cases. Cash payments received at the hearings totaled \$62,448, or almost double the previous year's figure.

### ***Bail Services and Supervision Unit***

The Records and Notification Unit conducts intake interviews of all defendants required to report to the Pretrial Service Division main office after preliminary arraignment: these are defendants who receive a bail of ROSC (Release on Special Condition) Type I or II at the Preliminary Arraignment or Special Release Hearings. During calendar year 2010, a total of 5,875 were required to report for orientation and assignment to a Pretrial Officer for supervision and monitoring. A total of 2,961 defendants representing 3,254 cases were also sent to this unit by the court for financial interviews and investigation to determine eligibility for appointment of either the Defender Association or court-appointed private counsel. A total of 1,335 cases were found to be eligible for court-appointed representation.

In addition to defendants who report in person, this Unit fields numerous daily phone calls from defendants, family members, and attorneys requesting information regarding court appearance dates, how and where to surrender for a bench warrant, and how to avail themselves of other services. These include requests for continuances based on absolute verification of serious hospitalization or incarceration in other jurisdictions. Other requests involve financial interviews for Traffic Court and inquiries and processing of bail using real estate that has been investigated and certified for that purpose. Another responsibility of this Unit is to provide pretrial history information for the City's Special Release Hearings that are scheduled at least two times per week. All division records regarding intake interviews and other related court events are maintained in the file room of this unit.

Since 2009, the court has been mailing an increasing number of payment plan and dunning letters for outstanding balances for defendants and sureties. The volume of daily telephone calls to Records and Notification about bail assessments has increased exponentially based upon the mailed letters and other types of notification to sureties and defendants. Staff ensures the bails have been properly assessed. The number of bail forfeiture petitions prepared by the Unit increased by almost 300% from year 2009 (year 2009: 222 petitions prepared; year 2010: 647 petitions prepared) as a direct result of the inquiries. Staff from this Unit attend bail forfeiture hearings to respond to judicial inquiries regarding the accuracy of the assessments, current balances of said assessments, and confirmation of sureties' evidence with respect to defendants' failure to appear.

The Unit is also in direct contact with the Clerk of Courts Office about disposed dockets with active bench warrants and dockets not updated since the last scheduled court date.

The Supervision Unit is responsible for monitoring and supervising defendants who are ordered to adhere to specific conditions of release including, but not limited to, ROSC Type I and II, Intensive Direct Supervision, and Electronic Monitoring House Arrest. In 2010, the Global Positioning Electronic Monitoring program was introduced for a more stringent release alternative to monitor individuals. Each defendant in this process is assigned a Pretrial Officer. Veteran Pretrial Officers are typically assigned to supervise defendants ordered to Electronic Monitoring House Arrest or Intensive Direct Supervision with more serious charges and a higher risk of flight. There is a higher incidence of interaction between defendants and criminal justice partners in these cases. During calendar year 2010, there was an average daily caseload of approximately 625 clients in both active and violation status. Constant communication between the judges, attorneys, EM coordinator, Warrant Services Unit (WSU) personnel and those of other related agencies is required. Pretrial Officers must be able to interpret legal documents that pertain to the conditions of the defendant's release. Pretrial Officers are responsible for promulgation of instructions, rules, and regulations, and an outline of the EM active program. Pretrial Officers must be able to prepare a summary of the defendant's progress to testify in court proceedings. The Pretrial Officer must have the ability to make sound decisions and refer or create resources for placement with appropriate programs. Keeping daily records of defendants' activities is an essential part of maintaining case loads.

Defendants ordered to ROSC bail are typically medium risk in terms of charge severity and court and social history. During calendar year 2010, the average caseload for Pretrial Officers supervising this population was approximately 500 defendants in both active and violator status. These defendants must report for initial orientation and thereafter in conjunction with each court appearance. In-person reporting can be increased by order of the court or digression of the assigned Pretrial Officer. These defendants report by phone once or twice a

week to the division Interactive Voice System that records their check-in and is relayed to the supervising officer.

### ***Electronic Monitoring Unit***

The Electronic Monitoring Program is currently supervising more than 870 defendants. The current caseload consists of all pretrial and post-trial cases that have been ordered by the judiciary to Electronic Monitoring. Active electronic monitoring involves installing ankle bracelets on defendants' and monitoring devices attached to their residential phone lines. The active system transmits a continual signal via the transmitter worn by the defendant to a field monitoring device (FMD) attached to the defendant's home phone. The defendant is monitored 24 hours a day as continuous signals are sent to the host computer which is located at 1401 Arch Street, 4<sup>th</sup> floor. Schedules are provided for employment, court and attorney visits and other verified and judicially-approved appointments. This process is ongoing as defendants are added or removed daily.

The FJD Pretrial Service Division operates the Electronic Monitoring Unit twenty-four hours a day, seven days a week. Staff assigned to the monitoring room are responsible for processing alerts, schedule data entry, enrollments, notification of the Warrant Unit on all confirmed alerts, and maintaining the daily inventory of all electronic monitoring equipment. The staff responds to every alert from the FMD. These alerts range from the trivial where a defendant is a few minutes late returning home to the more serious willful violations. Each alert is checked, logged, and cleared by the staff. Approximately 2,500 alerts occur weekly. The office of the Electronic Monitoring Coordinator and support staff are responsible for all the Administrative functions related to the Electronic Monitoring Program.

In 2010, the Electronic Monitoring Unit continues to monitor defendants who are released through the City of Philadelphia-sponsored Special Release Program. The current caseload also consists of defendants participating in the DUI Treatment Court Program. DUI Treatment Court offenders are subject to active electronic monitoring and for alcohol consumption. The staff in the Electronic Monitoring room monitors B.A.C. (Blood Alcohol Content) readings received throughout the day. The additional responsibility of supervising this population has also required staff of the Electronic Monitoring Unit and Warrant Unit personnel to receive specialized training in this area. A new one-piece unit incorporates both active electronic monitoring and alcohol detection through the sweat glands of the offenders. The Unit maintains a relationship with Drug Treatment Court and it has been actively involved with that population for the past six years. More defendants come from several Adult Probation Department initiatives which include Intermediate Punishment (IP) and Gun Court supervision. In 2008, defendants with Traffic Court appeals also began receiving Electronic Monitoring Release stipulations with supervision performed by the agency Pretrial Officers.

The Electronic Monitoring room continues to improve the automated scheduling process with fully-automated transfers of schedules to the monitoring room from both Pretrial and Probation Officers. This new system reduces scheduling errors and allows more time for other duties that need to be performed daily.

The Electronic Monitoring Unit also offers Global Positioning Systems (GPS) monitoring as another option to the judiciary for monitoring defendants in the community. As technology continues to advance, the growth and success of these programs will depend on the ability to evaluate new trends and incorporate them into existing programs. GPS technology has given us the ability to monitor defendants for compliance to adhered schedules while inside and outside of the residence.

***Electronic Monitoring responsibilities include but are not limited to:***

- Interpretation of all Court Orders received for defendants being placed on active Electronic Monitoring. In 2010, the Electronic Monitoring Unit actively monitored over 2,700 defendants on active electronic monitoring.
- Conducts phone interviews on all contacts that have been provided to the Court for possible placement on Electronic Monitoring.
- Coordination of all home investigations and installations with the Warrant Service Unit.
- Handles all telephone communication from the Judiciary, Attorneys, Prison Officials and Family Members.
- Preparation of the daily prison release list for all defendants in custody that have been ordered to Electronic Monitoring.
- Maintains daily statistical information of all defendants that are currently on Electronic Monitoring and the method of their release.
- Provides daily communication between the Electronic Monitoring Unit and all Pretrial Officers and Probation Officers that supervise defendants on Electronic Monitoring.
- Provides daily arrest activity to Pretrial Officers and Probation Officers on all defendants under our supervision.
- Complete background check on all defendants placed in the program to determine proper levels of enforcement and to dispose of any open matters including but not limited to Traffic Court, Child Support and warrants from outside jurisdictions.
- Expand the use of compassionate release program that requires interaction between our Agency, Public Defender's Office and the Prison Social Work Services Department. The judiciary also plays an important role in the process.

## ***Warrant Unit***

The Warrant Unit is responsible for the enforcement of all adult criminal bench and adult probation and parole violation warrants for the First Judicial District; the Unit is also responsible for the enforcement of all Traffic Court and Domestic Relations warrants related to Child Support and Custody. It provides twenty-four hour a day, seven day a week service which includes both administrative staff and investigative personnel who perform fugitive investigations for individuals wanted on warrants. Through an agreement with the Pennsylvania State Police (PSP), the administrative staff processes correspondence from Law Enforcement Agencies and Departments throughout the Commonwealth as part of the Commonwealth Law Enforcement Assistance Network (CLEAN) in order to confirm the validity of criminal bench warrants and probation violation warrants for individuals detained in those jurisdictions. Warrants are lodged for defendants who are being held on new charges and are being remanded to the County Prison or inmates who are already incarcerated. Warrant Unit investigative personnel are dispatched to accept custody of fugitives wanted on First Judicial District warrants who are not being held on any other criminal charges. Due to time response requirements mandated by law the administrative staff must continually monitor the “CLEAN” terminal for hit requests from other counties.

The Warrant Unit has a major role in the First Judicial District House Arrest Program starting with the home investigation prior to installation of the Monitoring device. The Unit provides transportation from the prison to the residence along with the installation and maintenance of the Electronic Monitoring equipment. Any violations of house arrest are reported to the unit and arrest procedures are initiated. Specific alerts identified as “high priority” require the unit to respond immediately as there is a zero tolerance policy for violations in these cases. The Warrant Unit maintains an office at the Criminal Justice Center, manned by investigators and administrative staff, to facilitate individuals who surrender on criminal bench warrants. The defendant is interviewed, a hearing to address the warrant is conducted, a new court date is assigned and, in most instances, arrest is avoided. In calendar year 2010 the unit processed 16,416 individuals who surrendered peacefully and at a minimum cost to the courts.

The Warrant Unit has established excellent working relationships with the Local, State and Federal Law Enforcement Community and has participated in a number of cooperative initiatives. The Philadelphia Police Department requested the Warrant Unit’s participation in a number of initiatives, including “Operation Pressure Point” which pooled the manpower and resources of the U.S. Marshal’s Service, FBI, ATF and DEA to address the gun violence in the city. Every weekend through the summer, teams converged on the City’s most violent Police Districts, serving warrants, raiding bars and “speakeasies” and displaying a concerted Law Enforcement presence in the most problematic time span.

Unit members continue to work closely with the F.B.I. Violent Offenders Task Force and the U.S. Marshal's Fugitive Task Force. In 2010, the Warrant Unit arrested individuals on Traffic Court Warrants owing fines in excess of \$7,711,604.14. About 6,028 individuals were arrested on Criminal Bench and/or Probation warrants. In addition to the criminal matters the unit arrested 421 individuals on Domestic Relation matters and 589 individuals surrendered to the Domestic Relation Unit due to their active notification and intervention.

The ultimate mission of the Warrant Unit is to reduce the warrant inventory and to maintain the integrity of the Judicial Process. The Unit continues to participate in the Law Enforcement Network which creates a cooperative effort to locate and apprehend fugitives. The internet and other computer technology have provided new techniques which we are just beginning to utilize. A fugitive was located and arrested by the Warrant Unit through his Craig's List account. Satellite tracking of cellular phones is another tool we have utilized through the cooperation of the F.B.I. and U.S. Marshal's Service. The Unit is interested in utilizing the media to advertise the surrender process as well as to highlight a "Most Wanted" list of fugitives in order to generate information regarding their whereabouts. A streamlined procedure for processing and hearing cases for individuals who surrender on bench warrants at the Criminal Justice Center could double or even triple the number of warrants adjudicated on a daily basis. The Warrant Unit has created an efficient and effective way to accomplish enforcement which, in essence, has created a "one stop shop" for warrant service.

### ***2010 Agency Accomplishments***

- Maintained continual 24 hours a day, 7 day week coverage in the Warrant Unit, Bail Acceptance Unit, Electronic Monitoring, and Arraignment operations.
- Interviewed and processed 49,464 clients for Arraignment.
- Bail Acceptance processed 24,583 bonds for a total of \$18,383,536 in Bail fees collected at the Criminal Justice Center.
- Bail Acceptance processed 3,404 bonds at the Philadelphia Prison remote Bail office for a total of \$2,740,490 in fees.
- The Accounting Unit collected \$6,816,662 in payments.
- Electronic Monitoring continues to monitor 870 pre/post Trial Electronic Monitoring defendants 24 hours a day, 7 day week.
- During 2010, 5,875 clients reported for Type I and Type II Pretrial orientation as a condition of release; 2,961 clients were interviewed for counsel appointment with 1,335 attorneys appointed.
- 647 Bail forfeiture petitions prepared
- The Warrant Unit processed 16,416 cases for defendants who surrendered peacefully on Warrants in the Intake Unit of the Criminal Justice Center.
- Arrested individuals on Traffic Court Warrants owing in excess of \$7 million dollars on outstanding fines and cost owed.

- The Unit arrested 6,028 defendants on Bench Warrants and Probation Detainers and 421 defendants on Domestic Relations Warrants. An additional 589 defendants surrendered peacefully on their Domestic Relations Warrants due to intervention and notifications practices.

### **2011 Agency Goals**

- Maintain 24/7 coverage of major departments.
- Increase automation and streamline specific functions.
- Increase collections.
- Decrease outstanding warrants through arrest or surrender.
- Streamline the bench warrant surrender function to allow more defendants to surrender safely on outstanding warrants.
- The Warrant Unit is interested in utilizing the media to advertise the surrender process as well as to highlight a “Most Wanted” list of fugitives in order to generate information regarding their whereabouts.
- Enhance and grow the Electronic Monitoring Program to include more defendants to help reduce prison overcrowding and costs. In addition technical upgrades of the software and hardware for this system will allow better and more accurate reporting to reduce the number of false alerts that must be responded to each time.
- The implementation of a GPS monitoring system to track defendant’s real time.
- Increase Traffic Court and Family Court warrant service to increase revenue collection for the First Judicial District.
- Continue to improve training and knowledge transfer or law enforcement techniques to better equip and enable the Warrant Officers serving potentially life threatening warrants to better enable them to carry out their dangerous and unpredictable tasks.
- Expanded Bail Intake hours at the Prison to increase bail revenue.
- Creation and implementation of a new program to assist those female inmates who are pregnant to provide structured EM Release before child birth in order to allow interaction between mother and child at a much lower cost to the prison system.
- Utilize more efficient DUI Detection equipment used in the monitoring of DUI defendants.
- Continue to provide professional and courteous customer service to the public.
- Expand payment plan hearing days to five (5) days a week to increase collections.

## **Trial Division – Criminal – Active Criminal Records**

When reading annual reports from companies or organizations, it is often stated that the closing year was momentous or groundbreaking. To use those terms to describe the changes, accomplishments and improvements in the Active Criminal Records Department of the Court of Common Pleas, Criminal Trial Division (ACR) would be an understatement. Revolutionary would be an apt description. The Department has applied all of its abilities, historical knowledge and ingenuity to a series of challenges in conjunction with other FJD departments and our judicial partners to change the justice landscape in Philadelphia. Together we have succeeded in implementing several innovative strategies and processes to improve the delivery of justice in the First Judicial District.

During 2010, the justice delivery system of the First Judicial District was totally revamped. With the complete installation of Zone Court, the Criminal Justice Center was reconfigured in such a way so as to provide a simulated courthouse for each Philadelphia Police Department detective division. This allows for nearly all criminal cases to start and end on one floor and to be handled by public defenders and prosecutors assigned to that “zone.”

To go along with the physical changes, there were philosophical changes as well. While Lady Justice continues to weigh the merits of cases individually and without prejudice, FJD criminal court administration has begun, when appropriate, to look at our work defendant by defendant instead of case by case thereby delivering justice more efficiently and effectively.

In the pages to follow, you will be introduced to each ACR unit (Appeals, Criminal Listings, Data Entry, File Security and Motions) and learn of their outstanding achievements. The units have separately and collectively contributed to a positive culture change within the Criminal Justice Center. We hope our contributions and continued efforts will benefit the justice community and Philadelphia next year and for the years to come.

### ***Data Management***

The Data Management Unit has many daily responsibilities in the First Judicial District. The unit imposes stringent controls for records of new arrests, data migration issues, participant identifiers, bench warrant hearings, and various other tasks as assigned. Unit personnel assist in the case flow management by staffing several courtrooms – such as 6 Smart Rooms within zone court, bench warrant hearings, motions court, arraignment court, discovery court, and the homicide pre-trial room.

The Data Management Unit employees who staff the zone courtrooms are responsible for the random assignment of trial judges, calendar entries, and the collection of statistical data including, but not limited to: further dates, dispositions, and custodies. In some of the remaining

courtrooms, staff members issue and remove bench warrants, docket court proceedings, print subpoenas, and keep statistics specific to the rooms to which they are assigned.

New arrests each day (roughly 150) that are electronically passed from the Preliminary Arraignment Reporting System (PARS) to the Common Pleas Criminal Case Management System (CPCMS) are quality controlled by the Data Management Unit. Each file is checked to ensure that all identifying information is accurate and that any errors are fixed. In a case where the state identifier (SID), photo identification number (PID) or offense tracking number (OTN) is missing or duplicated, personnel use JNET to inspect and correct the record.

The Data Management Unit is responsible for targeting the cases within CPCMS that will require Bills of Information to be created. Cases such as those held for court, certified juveniles, or misdemeanor appeals are transferred manually and assigned proper case numbers. This information is then passed to the District Attorney's Office via the "DA Link" interface, checked for accuracy, and submitted back to CPCMS for the Data Management Unit to print.

Since CPCMS has been integrated throughout the state of Pennsylvania, the task of validating defendant criminal case information has become more stringent. Incorrect identifier or data information entered into CPCMS could affect employment, sentencing imposition, prior records scores, and various other problems for individuals. The Unit has developed a reputation as knowledgeable experts on CPCMS database corrections through developing processes to identify and execute CPCMS data corrections.

Special consideration is given to merge and unmerge issues, migration issues, photo identification number (PID) errors, and state identifier (SID) issues due to the complex nature of the work involved. Personnel must examine sensitive information via JNET CLEAN and make accurate decisions regarding identifying information. The process can become lengthy and time-consuming.

Other notable jobs that are assigned to the Data Management Unit include:

- Docket attorney orders of appearance
- Docket attorney attachment orders
- Docket parole petition orders from judges
- Creating cases within CPCMS for juvenile petitions
- Process appeals from Municipal Court proceedings
- Process notices of re-filing of criminal complaints from the DA's office
- Update CPCMS with dispositional events from Community Court
- Send notifications to all counsel attached for Trial via e-mail
- Update and maintain the PAAL (Philadelphia Attorney Attachment List)

- Respond to daily e-mails from other Criminal Justice Partners to update, verify, correct or assist with information that resides in CPCMS

### ***2010 Data Management Accomplishments***

- Increased courtroom staffing and responsibilities.
- Maintained the Philadelphia Attorney Attachment List (PAAL).
- Corrected over 1,000 merge, migration, and state identifier issues.
- Resolved approximately 525 photo identification number (PID) issues.
- Reviewed over 2,000 participant account numbers (PAN) for data integrity purposes.
- Developed and compiled detailed statistics regarding the Zone Court SMART Rooms.
- Compiled data and created monthly statistical and accountability reports that analyze judicial dispositions, special programs, Motion Court, Arraignment Court, Discovery Court and others functions as determined.
- Implemented standardized CPCMS training for the FJD.

### ***2010 Goals***

- Continue to assist with caseflow management and scheduling of cases within Zone Court.
- Continue to provide data integrity at the highest level by working with other criminal justice partners.
- Enhance and expand statistical reporting.
- Continue to provide CPCMS training for the FJD.

### ***Criminal Listings***

The Office of Common Pleas Criminal Listings Unit is responsible for overseeing all case inventory management for the Criminal Trial Division. In addition, it is responsible for providing support and assistance to the judiciary and their staff, attorneys, defendants, witnesses, court employees, criminal justice partners and the general public. This Unit is comprised of three sub-units: Trial Commissioners, Court Appointments Unit, and the Post-Trial Unit.

This year the Unit helped implement major change in case management and case flow with the implementation of Zone Court. This new structure in case processing was the brainchild of the newly elected District Attorney Seth Williams and the Pennsylvania Supreme Court. The premise of the program is to schedule all criminal cases from their initial Municipal Court hearings and trials through to the Common Pleas trial courts grouped geographically on one floor of the Criminal Justice Center as determined by the arresting police division.

#### ***Zone Court***

Under the new plan, most criminal proceedings will occur within the Criminal Justice Center (CJC). All of the cases scheduled are assigned to one of six CJC floors, each corresponding to the police detective division where the cases originated. Floors five through ten will cover the South, East, Southwest, Northwest, Central, and Northeast Detective Divisions respectively.

One challenge of this new arrangement was to take existing inventory, hundreds of cases, review each and every one in order to tag the case with the proper zone. In this process, after reviewing and tagging each case, those cases needed to be laterally moved from the current courtroom to a comparable courtroom in the proper zone. Finally, the necessary criminal justice partners, as well as defendants and defense counsel, needed to be notified. This whole process took months in planning and even more time to implement. Every member of the Criminal Listing Unit was impacted and rose to the challenge in order to make this transition a smooth and successful one. At the start of November 1<sup>st</sup>, 2010, all past inventory was tagged and moved to its proper zone. In addition, all new incoming cases are now reviewed for Zone Court and properly scheduled. The new age of zoning is working in Criminal Listings.

Along with tagging and scheduling cases for Zone Court, other changes were simultaneously made in the case management system that changed the way cases are handled from arraignment prep to post-trial matters. Most of the new changes start with the job of the Trial Commissioners.

### ***Trial Commissioners***

These individuals act in a para-judicial capacity and assist the Criminal Court judiciary by performing many administrative court functions and assignments. Trial Commissioners preside in courtrooms in the Criminal Justice Center and at the Curran-Frumhold Correctional Facility (CFCF) where criminal cases are assigned for court or administrative proceedings including bench warrant hearings, Gagnon I hearings, Traffic Court appeals, pre-trial conferences, special release hearings, probation/parole payment plan hearings and arraignments. In addition, the Commissioners are responsible for conducting the review and assignment of criminal cases, zoning those cases and assigning them to judges in the proper zone and courtroom. Trial Commissioners are also responsible for case management and administrative functions, including statistical report generation, which assures the proper case flow in the Criminal Division.

In this past year, Trial Commissioners have welcomed the challenges of zone court with enthusiasm and efficiency, especially considering this new process came right on the heels of implementing the new Criminal Division Programs of ARC- AVOPP and Discovery Court. Additionally, Trial Commissioners have worked to consolidate cases while prepping the Arraignment List in an effort to make the first listing of any new case a potential time for counsel to resolve multiple issues all at once. This process allows a Trial Commissioner to send the case and other outstanding matters to another new feature of Zone Court, SMART Rooms.

### ***SMART Rooms***

One of the most important aspects of the CJC reorganization is the multi-purpose SMART courtroom or “SMART room” on each of the zoned floors. The SMART acronym stands for

Strategic Management, ARC (Advance Review and Consolidation), Readiness, and Trial. These rooms have replaced the old pre-trial conference Majors and Waivers rooms and are the focal point for the administration of criminal cases from a single zone.

With the advent of Zone Court, the protocols and processes for the preparation and conduct of Common Pleas Court Arraignments have changed and been greatly enhanced. The Trial Commissioner still reviews the case to determine whether the case is a major or waiver type of case. However, the process has been enhanced so that the Commissioner now zones the case and takes more time reviewing the defendant's record to see if there are other matters which could be sent to the zone SMART room. The Commissioner will verify the defense attorney and, if necessary, appoint an attorney while taking the time to inform counsel of the potential of consolidating cases for ARC. Lastly, with the new push by the District Attorney to ensure that discovery is completed by the arraignment and having a written global offer available at the time, the Commissioner is in a better position to send this case to a SMART room for a potential early disposition. When the case reaches a SMART room, case management protocols will be applied to coordinate and balance the assignment of cases throughout the other courtrooms on the floor, if needed.

Hopefully, with more attention on the front end at the arraignment, the SMART rooms will also serve to remove barriers and streamline cases to push them more efficiently through the judicial process. The best example of this is ARC (Advanced Review and Consolidation), where cases may be combined for hearing if one defendant has multiple cases pending. Cases deemed ready may also be assigned to a trial courtroom or even heard in the SMART room.

Aside from the case management procedures to prepare cases for the SMART rooms, the Trial Commissioner will also review cases for other special programs for a specific case type or a particular aspect of the proceedings: Discovery Court, Family Violence and Sexual Assault (FVSA) cases, Direct-Filed Juvenile (DFJ) cases, Mental Health Court, Gun Court or Intermediate Punishment (IP). Even state custody defendants all need special review and scheduling. All of these considerations, as well as the day to day duties of staffing courtrooms and case management, are undertaken every day by the Common Pleas Court Trial Commissioners.

### ***Court Appointments Unit***

The Court Appointments Unit is responsible for processing counsel appointments to assure that indigent defendants are represented at scheduled court events. Appointments for homicide and non-homicide criminal cases and appeals are processed in accordance with Local Rule 406. This unit also maintains each Municipal and Common Pleas Court judges' list of certified court appointed attorneys for misdemeanors, felonies, homicides and non-homicide PCRA. Appointments processed by this Unit for cases to be heard in Common Pleas, Municipal and Family Court (Domestic Relations and Adult Preliminary Hearings in Juvenile Court). This unit

also processes relief of counsel due to conflicts and performs all CPCMS data entry and related clerical functions associated with the appointment process including close interaction with the FJD Fiscal Department, the Philadelphia Bar Association and the Pennsylvania Supreme Court.

In the past year, the Court Appointments Unit has also assisted in informing attorneys of free legal research help available through the Bar Association. The unit has moved forward technically using its database of attorney information and sending and receiving most appointment information electronically. Using this medium has been a huge cost savings and has streamlined the method of communication

#### ***Post-Trial Scheduling Unit***

This unit is responsible for the scheduling of Common Pleas Court and Municipal Court violation of probation hearings, GAGNON I and II hearings, and sentencing and post trial motions. These matters are scheduled in conjunction with the Probation/Parole Department, judges and judicial staff. This unit is also responsible for the reassignment of cases where the sentence exceeded the tenure of the judicial authority with the approval of the Supervising Judge. The unit also continues the mission of the Accelerated Violation of Probation Program (AVOPP) and Non-Sitting Judge (NSJ) programs begun in 2010.

#### ***Courtroom 1103: AVOPP and NSJ***

In Courtroom 1103, the Accelerated Violation of Probation Program (AVOPP) and the Non-Sitting Judge (NSJ) program that was implemented in 2010 is still growing and resolving many post trial matters at a savings of time and money. In AVOPP, a Trial Commissioner reviews the daily lists sent from APPD. Technical violation cases undergo early intervention through review and consolidation to make even the first listing a meaningful event where counsel may resolve multiple issues, sometimes within five days of the violation being recorded.

In the NSJ program, scheduling delays are avoided when probation violations are reassigned to new criminal judges through agreement when the trial judges who ordered the terms of probation have been transferred to the civil side of the courts. This courtroom alone has been the site where thousands of cases that would have otherwise been spread throughout the system were heard and resolved.

#### ***2010 Criminal Listings Accomplishments***

- Presided at 16, 245 arraignment hearings and 5,548 Traffic Court Appeal hearings
- Scheduled 1,153 Payment Plan conferences with 649 cases heard resulting in collections of over \$62,400.
- Processed appointment of counsel for over 11,499 felony and 2,251 misdemeanor trials and appeals, plus over 1,122 appointments processed to handle homicide trials, appeals and post trial matters both lead and co-counsel and related non-capital cases

- Rescheduled and zoned thousands of active criminal cases within an aggressive time constraint to facilitate the implementation of Zone Court
- Fully implemented and expanded NJS and AVOPP programs, resulting in faster case resolutions
- resolutions

### ***2011 Criminal Listings Goals***

- Expansion of the ARC program in the new SMART rooms by putting more focus on review in the Formal Arraignment process and hopefully adding Municipal Court Cases soon
- Continue review of all cases listed in 2011 and 2012 to ensure matters are scheduled timely and in proper zones
- Expansion of the AVOPP program to include custody matters as well
- Working with Municipal Court to do more real-time updating of MC Post Trial matters in the courtroom and eliminating the sending of trial sheets and data entry
- Developing a more focused review of cases in Gagnon I hearings at the prison for possible faster resolution of detainer issues resulting in less incarceration days
- Develop a new SMART room program similar to NSJ where post trial matters of CP and MC Court can be consolidated sooner in front of the SMART room judge for ARC consolidations and possible disposition at the initial hearing
- Develop a FVSA ready pool to send cases to trial to any available judge and promote faster disposition times.

### ***File Security***

The File Security Unit is the central repository for all active Common Pleas Court and Municipal Court criminal records from preliminary hearings to appellate review entrusted to Active Criminal Records File Library. This Unit is comprised of two sub-units: File Management and Information Services.

The File Security File Maintenance Operation is responsible for the security and integrity of all criminal records entrusted to Active Criminal Records. Core support and services include:

- Maintaining an extensive file inventory of active Municipal and Common Pleas court records.
- Assembling and forwarding case records to legal proceedings located in the Criminal Justice Center and community police districts.
- Utilizing an electronic bar-scanning feature that tracks court records to and from their destinations.
- Assisting court personnel and judicial staff with inquiries regarding court records.
- Quality controlling files returning from judicial proceedings for accuracy and completeness.

The File Security Unit Information Services Operation provides core support and public information via direct and/or telephone contact regarding court case information. Core support and services include:

- Responding annually to over 100,000 telephone requests and 50,000 personal inquiries for case listing information.
- Management of access to and release of active court case information.
- Providing efficient customer service to the general public, legal community, defendants, criminal justice partners, and agencies.
- Assisting visitors and callers in navigating through various aspects of criminal justice proceedings.

### **2010 Accomplishments**

- Created the 2010 – 2011 (eighteen months) court file folder contract for the Municipal and Common Pleas Courts.
- Reduced operating expenses by analyzing arrests-to-court files ratio resulting in a reduced number of files ordered for Municipal and Common Pleas Courts
- Reduced vendor storage and freight expenses by limiting court file folder bulk deliveries to twice yearly
- Procured additional on-site storage to accommodate deliveries
  - Total files ordered for the January 2009 – June 2010 contract: **150,000**
  - Total files ordered for July 2010 – December 2011 contract: **141,500**
- Created and reported monthly case retrieval statistical reports for Municipal and Common Pleas Courts
  - Number of Municipal Court files pulled 2010: **215,479**
  - Number of Common Pleas Court files pulled 2010: **125,566**
  - Number of MC/CP Bench Warrant Court files pulled 2010: **17,845**
- Continuous quality control projects to manage an extensive active court file repository
  - Purged library of over **1,600** disposed court files
  - Purged library of over **3,219** protracted bench warrant files (YRs 1960 – 1990) disposed in 2010
  - There are approximately over **139,000** court files in the library.
- Improved staff readiness
  - New personnel hired
  - Established a core team of delegates
    - Senior staff assigned key areas of daily protocol implementation
  - Created and implemented customer service training
  - Implemented monthly work assignment rotations
- Extended operational hours for the Information Services and File Security counters

- Number of telephone calls received: **29,100**
- Number of personal inquiries made at the Information counter: **18,596**
- Number of file requests made at the Information counter: **2,609**
- Upgraded office equipment (i.e. computer hardware, scanners)
- FSU staff performed as adjunct court officers in the courtroom (Arraignment) daily
  - Assignment is rotated monthly
- Worked very closely with the Clerk of Courts on matters of shared interests including:
  - Shared work protocols and management tools to help them (re)organize and manage the disposed file library and the return of active files to this office
  - Shared protocols and tools to help them write the 2011 – 2013 juvenile court file folder contract for the Common Pleas Court (Family)

### **2010 Goals**

- Write the 2012 – 2013 court file folder contract for the Municipal and Common Pleas Courts
  - Extend contract from eighteen months to twenty-four months
    - Higher volume, higher savings
    - Review arrests-to-court files ratio to forecast court file folder and fund allocations
  - Analyze previous year-end usage
    - Research cost -savings measures to reduce this expenditure
- Continue to create and report monthly case pulling statistical reports for Municipal and Common Pleas Courts
- Continue to execute quality control projects to manage the extensive active court file repository
- Continue to offer internal and external training to staff
- Complete the FSU training manual detailing the objectives and work protocols specific to the unit
- Develop a CPCMS report that provides the total number of court files present in the active file library at the time of request. It will also provide itemized totals of court files scanned to select event location(s) as requested.

### **Appeals**

The Appeals Unit's principal function is to receive and docket all criminal case appellate filings to the Superior, Commonwealth and Supreme Courts of Pennsylvania. All Judicial filings pertaining to the appellate process including orders for 1925(b) Statements and opinions **must** be filed with the Appeals Unit in order to assure accurate transmittal to the appropriate appellate court.

All post sentence motions (hereinafter 'PSM') including but not limited to: Motion for

New Trial, Motion to Withdraw/Challenge Validity of Guilty Plea, Motion for Reconsideration of Sentence (trial and VOP), Motion to Correct Illegal Sentence, Motion for Credit Time, Motion for Judgment of Acquittal, Motion in Arrest of Judgment will be filed and docketed to CPCMS by Active Criminal Records personnel upon filing. All motions which activate the PSM time frame will be sent to the assigned Judge. If the assigned Judge schedules a court date for consideration of the motion, the Appeals Unit must be notified immediately. Otherwise, once the time frame for the motion has elapsed, all appropriate parties will be notified of the Dismissal of the Motion by Operation of Law.

The appellate process begins with the filing of the Notice of Appeal (hereinafter 'NOA'), by the *pro se* defendant, the defense counsel or the Commonwealth. Please note that the Appeals Unit accepts all NOA on a conditional basis only. Final determination as to the appropriateness of the filing resides solely with the appellate court.

File preparation is initiated by the filing of the NOA. The Appeals Unit commences the search for the official court file by contacting the Clerk of Courts. Also, the Unit begins the process of securing the Notes of Testimony if properly ordered via the Court Reporters Office. Notes of Testimony for trials should be available on the Court Reporting System (CRS). When the record is located, the file is preliminarily prepared in anticipation of the filing of the opinion. Once the opinion has been filed, the record will be finally certified and transmitted to the appellate court within one to two days. If the record is not available, after a suitable period, the Appeals Unit will notify all relevant parties of the unavailability of the file. A reconstructed record will be prepared with all available documents and the file will be transmitted to the appropriate appellate court.

In addition, the Appeals Unit is the central repository for docketing and filing of all motions seeking Post Conviction Relief and *Habeas Corpus* release. All requests for post conviction relief should be requested via the Appeals Unit. The Unit will preliminarily review and recommend possible disposition. Should reassignment of the PCRA be necessary, the Appeals Unit will notify the Supervising Judge. In addition, Appeals Unit will notify Criminal Appointments of the need for counsel, if eligibility by the petitioner is established. The Appeals Unit will set the initial conference date for counsel to review the file as well as the first scheduled court listing. All future listings should be updated by the courtroom personnel in accordance with the court's calendar. The court record will ideally be located in the File Library for ACR except during those periods of time that the case is: a) scheduled for a court listing, b) with judicial staff for review or c) with the Clerk of Courts personnel. When the case is ready for final dismissal, the court may be required to send notice to the petitioner. (See Pa.R.Crim.P. 907). A copy of the 907 notice should be sent to the Appeals Unit for docketing and inclusion in the criminal case file. Upon final disposition of the case, the court is required to send the petitioner, by certified mail a copy of the written order disposing of the case. All other interested

parties may be notified by regular or interoffice mail. As always, the order with appropriate proof of service should be made part of the official case record.

A review by the Appeals Unit discovered approximately one third of all petitions submitted seeking post conviction relief are second/subsequent requests. A high percentage of these cases are filed by defendants whose original trial judges are no longer on the bench. These individuals are ineligible for court appointed counsel and the issues which they raise do **not** properly invoke the exceptions to the timeliness provisions of the Post Conviction Relief Act. Reassignment of these cases to our already heavily burdened judiciary is not an effective use of judicial resources.

In 2009, the Appeals Unit developed an expanded PCRA review protocol whereby cases that meet certain criteria are not reassigned to other judges by are reviewed to their conclusion by law clerks within the Unit. PCRA petitions that reviewed to conclusion are second and/or subsequent petitions, cases where the original trial/sentencing judge is no longer sitting and cases where issues raised by the petitioner do not meet an exception to the timeliness provisions of the Post Conviction Relief Act.

#### ***2010 Appeals Unit Accomplishments***

- Processed 1386 New Notices of Appeal cases to our appellate courts
- Certified and transmitted 1426 appeals to our appellate courts
- Received, reviewed and processed approximately 1100 new PCRA petitions

#### **2011 Goals**

- Refine methodology for capturing statistical data for preparation of reports regarding number of Post Sentence Motions, PCRA Petitions (including Petitions for Writ of Habeas Corpus) filed on a monthly and annual basis.
- Develop a monthly report to quantify and identify the types of correspondence received by the Post Trial Unit.
- Develop and implement an Extern Program with local law schools
- Continue development of a satisfactory method of electronic delivery of the record to the appellate courts
- Refine and implement case management system for PCRA cases which will result in:
  - Reductions in the number of administrative status listings and court appearances for PCRA/Commonwealth counsel
  - Improved judicial economy
  - Greater consistency in docketing
  - Reductions in the amount of time ACR personnel spend retrieving files for administrative status listings.

## ***Criminal Motions***

The Criminal Motion Court Unit in the Criminal Justice Center is the central location for judiciary and their staff, criminal justice partners, attorneys, and the public to file all court documents such as motions, answers to motions, briefs, appeals, orders and judicial opinions regarding criminal and quasi-criminal matters in the Common Pleas and Municipal Courts of Philadelphia.

Personnel in the Criminal Motion Court Unit are responsible for the time stamping, filing and docketing of all written pretrial, trial, post trial, post sentencing, and miscellaneous motions. In addition, they are responsible for calendaring and scheduling all miscellaneous motions in the Criminal Motions courtrooms. Miscellaneous motions include, but are not limited to, motion for private detective license, expungements, motions for return of property, and drug forfeiture petitions. Staff is responsible for accepting and receipting all payments on motions filed by private counsel and pro se litigants. The Unit accepts cash, money orders and major credit cards as well as checks from private counsel.

Judicial Orders, Findings of Fact and Conclusions of Law, and Opinions are to be filed at the Motions Counter. These documents must have a Certificate of Service attached pursuant to Pennsylvania Rule of Criminal Procedure 576.

Due to the large volume of filings and requests from the Offices of the District Attorney and the Public Defender, the Motion Unit has developed over the years a strong working relationship with those two organizations that allows us to provide excellent customer service to them. Lastly, we also receive a large volume of mail from incarcerated pro se litigants that requires the Unit to docket and distribute the pro se petitions, and in some situations respond back to the litigants.

In 2010, several developments directly affected the Criminal Motions unit. New rules were enacted regarding the expungement process that required the Unit's processes to change. Now, the Unit appraises petitioners of their financial status regarding their case(s) before the petition is submitted. The Unit has also revised the expungement petition and order and has made sure these revised documents are available on line on the FJD Website.

Changes have also occurred regarding the filing of petitions alleging identity theft. The Unit has met with all the parties involved with the processing of these petitions and has taken on a greater responsibility to make sure any harm that has occurred as a result of identity theft is brought to a halt and repair can begin.

### **2010 Criminal Motions Accomplishments**

- Total Receipts accepted: \$66,795 representing a 16.5% increase
- Accepted increased role for processing Bail Forfeitures (receipting and calendaring)
- Accepted increased role in coordinating with Clerk of Courts' Office to resolve all outstanding financial balances relating to Expungement cases
- Processed Criminal Motions:
  - 2010 CP 32,192
  - 2010 MC 74,110
  - Combined Total 106,302
- Processed Criminal Expungements 4,430
- filed & docketed *Pro Se* Motions (approx.) 9,100

### **2011 Goals**

- Participate in the design and implementation of Motions calendar and Reports

### ***First Judicial District Mental Health Court (FJDMHC)***

The First Judicial District of Pennsylvania Mental Health Court (FJDMHC) officially commenced formal operations in July 2009, under the leadership of Philadelphia Court of Common Pleas President Judge Pamela Pryor Dembe, Administrative Judge D. Webster Keogh, Supervising Judge Sheila Woods-Skipper and Deputy Court Administrator Joseph Lanzalotti. Since the inception of FJDMHC the court has expanded its clinical and criminal justice framework and reached notable milestones in 2010.

The First Judicial District Mental Health Court is a re-entry program that provides a unique multidisciplinary collaborative approach, which combines intensive wrap-around treatment and individualized probation supervision. This includes the coordinated efforts of the Department of Behavioral Health, Philadelphia Court of Common Pleas, Philadelphia Adult Probation and Parole, Defender Association of Philadelphia and the Philadelphia District Attorney's Office. The benefit of this multidisciplinary approach is to reduce the recidivism rate, by providing a more holistic treatment approach for the defendants' re-entry back into the community, as well as reducing prison costs.

Since its inception the First Judicial District Mental Health Court has set out to achieve five distinct goals:

- To facilitate the re-entry of offenders with mental illness from incarceration into supervised community treatment settings.
- To provide treatment, housing, benefits and community support services for defendants with mental illness.

- To support effective communication between the criminal justice and mental health systems.
- To preserve public safety.

On July 1, 2010 the Pennsylvania Commission on Crime and Delinquency (PCCD) awarded the FJDMHC an Implementation Grant which helped facilitate the further development of the Court that was initiated through the Planning Grant from PCCD in July of 2009. In order to carry out the implementation process a Court Administrative Officer, Public Defender, and a Probation Officer were hired. The Court Administrative Officer is responsible for the day to day operations of the court, including data collection and reporting. The Public Defender's primary responsibilities are processing referrals once authorized by the Department of Behavioral Health Case Management Unit and ensuring the defendants' understanding of the rules and regulations of the program. Finally, the Probation Officer will supervise sentenced offenders admitted into the FJDMHC program and maintain constant contact with the case management treatment teams.

The Implementation Grant has also funded the development and printing of First Judicial District Mental Health Court banner, brochure, and participant handbook. The grant will also fund technological upgrades for the Court, by providing courtroom video conferencing and projection capabilities enabling video status hearings, which reduces administrative costs. The Court was also able to purchase two laptops, two cell phones, and a color copier which will increase the operational effectiveness of the program.

In order to ensure that the FJDMHC maintains the highest standards in programming, policy and procedures, the involved stakeholders conducted a site visit to Lackawanna County Mental Health Court in Scranton, Pennsylvania on October 14, 2010. The parties found the visit enlightening and informative. A similar visit is scheduled for Allegheny County Mental Health Court in Pittsburgh, PA on April 7, 2011. The FJDMHC was also able to send representatives from the Defender Association of Philadelphia, Philadelphia District Attorney's Office, Department of Behavioral Health, and the First Judicial District of Pennsylvania to the 18<sup>th</sup> Annual Forensic Rights and Treatment Conference in Hershey, PA on December 1-2, 2010.

During 2010 the FJDMHC program added treatment tracks in order to provide a continuum of care and to bring all cases with mental health issues under the jurisdiction of one court. The treatment tracks include Assertive Community Treatment, Targeted Case Management, Blended Case Management, Veterans Evaluation Track, Competency Assessment Track, and the Forensic Alternative Services Track. With the expansion of the treatment tracks the FJDMHC has been able to serve approximately 251 individuals diagnosed with a severe mental illness incarcerated within the Philadelphia Prison System. The re-entry of offenders from incarceration into supervised community settings has generated a total of **6,099** incarceration days saved. At an average daily incarceration cost of \$98, an approximate savings total of **\$600,691**.

The Court has not only been able to save the incarceration days and reduce prison costs, but make a difference in the lives of the program participants. This was evident at the Court's first Goal Achievement Ceremony on September 23, 2010. The occasion provided a profoundly moving experience for the participants, their families, and the stakeholders. Eleven participants were recognized by the FJDMHC for achieving milestones that may have been impossible a year ago. Two of the participants recognized participated in the ceremony by providing words or encouragement and a poem. The pride of accomplishment was evident in each of the participants, their families, the FJDMHC stakeholders, and Judge Woods-Skipper.

The First Judicial District Mental Health Court is an innovative program, which fosters collaboration across system agencies. The FJDMHC model will encourage treatment compliance while improving the lives individuals and ensuring public safety.

### **Courtroom Operations**

The essence of this Department resides in the effort to assist the judiciary of this District in the performance of their very demanding duties on a daily basis. In calendar year 2010, members of this office were engaged in assisting in the disposition of over 16,700 Common Pleas cases and an additional 2,600 Municipal Court dispositions. Innumerable motions, sentences, violation hearings and every other possible activity associated with a Common Pleas court calendar in a major metropolitan jurisdiction were scheduled and disposed with the assistance of members of Courtroom Operations.

### **Supervisors**

The employees in this classification directly supervising line personnel according to all FJD rules and regulations and are responsible for the performance, training and evaluation of the employees. Many documents and records are prepared and maintained in the normal business flow of the District and are shared with other justice partners in order to ensure adequate staffing resources. These vastly experienced supervisors are well versed in every aspect of Courtroom Operations and fungible in their duties and responsibilities.

### **Secretarial**

A secretary is assigned to Room 401 of the Criminal Justice Center and another is assigned to the Receptionist Desk serving the CJC judiciary on the 13<sup>th</sup> floor at the Judicial Reception Desk. These employees are responsible for the various functions involved with the management of a professional office environment.

### **Court Interpreters**

This four-employee Unit of Courtroom Operations provides real time translation from the Spanish language to the English language (or vice versa) for the Criminal Trial Division. Each employee is certified by State Authority.

## ***Tipstaff 2***

Members of this job classification perform a wide variety of functions, services and maintenances to assist the judiciary of the District in the performance of their duties.

As the primary liaison between the Court and all other Agencies, Offices and Departments that comprise the “justice partners”, these employees are sworn or affirmed to act “...with fidelity to the Court, according to the best of my ability with strict impartiality between litigants, witnesses, jurors and counsel...”, while at the same time, establishing and maintaining effective working relationships with all participants to the process.

The justice partners would include but are not limited to;

- All other FJD Departments
- The District Attorney
- The Defenders Association
- The Private Bar
- The Philadelphia Sheriff
- The Philadelphia Police Department
- The Clerk of Quarter Sessions
- The Jury Commissioner

Acting as the first point of public contact with the Court for defendants, witnesses and complainants, it is the further duty of the Tipstaff 2 to ensure the safety, care and comfort of the jurors, as well as to warrant the dignity and decorum of the process for all involved.

Facilitating the overall functioning of the courtroom during legal activities, the Tipstaff 2 is also charged with adhering to the many regulations, policies, rules and business practices that have been enacted by the leadership of the District in order to ensure the fair, equitable and timely disposition of criminal charges.

This requires performing a varied and complex duty encompassing a multi-faceted knowledge of many court related subject matters, but especially case flow management. This skill set begins at the early review of a docket days in advance of the scheduled Hearing and continues through to disposition of any and all Post Trial issues.

Further duties and responsibilities would include but are not limited to;

- Data entry related to the Common Pleas Case Management System
- Casflow management.
- Scheduling and Calendaring of Court events.
- Reporting directly to the Court.

- Accounting directly to the Court.
- Maintaining and supplying computer, fax, printer phone and other Court equipment.
- Training in Safety, CPR, Defibrillation, Shelter in Place, CJC Evacuation and Emergency Policies.
- Providing general information to participants.
- Limited courtroom security.
- Ordering, requisitioning or arranging actions required for courtroom maintenance, supplies or services.
- Preparing, marking, recording and maintaining necessary records of court procedures.
- Resource management of other FJD Departments and outside Agencies.

### ***Tipstaff 1 Summary Statement***

The Tipstaff 1 is under the direct supervision of the Court and the Tipstaff 2, and assists the Tipstaff 2 in most of the duties described above. Members of this job classification are mainly responsible for assisting the Court and Tipstaff 2 in all phases of the jury process, but especially the care, comfort and safety of the jurors, before and during selection, during the trial and after verdict (to ensure payment and the safe exiting of the CJC).

### ***Hours of Operation***

The office of Courtroom Operations is staffed Monday through Friday from 7:00 am until 5:00 pm, or until the closing of any individual court day. However, supervisory staff and employees remain available to the judiciary on a 24-hour-per-day schedule, on Saturdays, Sundays, or any holidays at the behest of the Trial Division Administrative Judge. Courtroom Operations is available at any time for any length of time in order to facilitate any trial or hearing to completion.

### ***Staffing Responsibilities, Criminal Justice Center and City Hall***

A Courtroom Operations Tipstaff 2 is present whenever a member of the judiciary is sitting in the CJC, where all criminal matters must be adjudicated. The judiciary of the Criminal Trial Division currently consists of 44 Judges who are assigned to one of the 47 Courtrooms in the CJC. The Family Court, Orphans Court, Civil Trial Division and specially presiding Judges are also staffed by Courtroom Operations whenever their presence is required in the CJC, usually due to a docket containing criminal matters, or where any Civil Trial Division or Orphans Court litigant is in custody.

The administration of the Civil Trial Division is responsible for the staffing of the Courtrooms in City Hall, with the one exception being the Landlord/Tenant Court. Upon exigent circumstances due to illness or other unavailability of Civil Division staff, this office supplies a Tipstaff 2 to the Civil judiciary upon request.

Election Court, Grand Jury Selection and all Ceremonial Sessions are also coordinated and staffed by this office. Non-judicial assignments include the operation of the two “Jury Flow” rooms on the second floor of the CJC, the operation of the Video Courtroom which is located in Room 1106 of the CJC.

## **2010 Accomplishments and Improvements**

### **CJC Video Program**

The connectivity for the FJD and all other Philadelphia Prison System institutions is available in 7 CJC Courtrooms. Each year, this program continues to expand the number of often problematic cases that are disposed via videoconferencing. In 2010, over 2,700 matters were resolved via video conferencing producing an immeasurable savings in Sheriff Transportation and other costs. This was a 20 per cent increase from the last reporting period. The Motions Court now resolves almost 100 per cent of the custody cases listed there via video, making it the first “all video” Courtroom in our District, and perhaps in the Commonwealth of Pennsylvania.

### **Election Court**

Due to the changing voting laws and legislation, the District was required to design and institute a Court process regarding “emergency petitions” commencing at the November 2008 election cycle. On the Election Day this session was staffed from 6:00 am until 10:00 pm. in Courtroom 676 City Hall, without incident or delay. Further refinements will be implemented for the Primary this coming May.

### **Case Consolidation**

Defendants who had multiple cases in any individual judicial calendar were targeted by supervisory staff for earlier disposition. Their activity began at the Pre-Trial Conference stage, trial impediments were addressed and removed, multiple cases were consolidated on a single day and each trial was addressed, in a series, if necessary. The judicial economy resulting from this program was adopted by the Court Administration and is now named “Advanced Review and Consolidation” (ARC).

### **Transportation List and Interpreter**

Prior to the scheduled event, the Tipstaff 2 is required to review the docket to ascertain the necessity of the defendant or non-Spanish Interpreter. Working closely with the two Counsels representing, the Tipstaff presents relevant information to the Presiding Judge. A pre-determination is made based on certain realities and the needs of the Court. Cancellations are entered or forwarded to the appropriate Department so that effort, time and money are saved by the District and/or appurtenant agencies. There is no dollar amount of savings available for presentation.

### **Probation Review**

The Tipstaff review of matters scheduled for Probation Hearings has evolved into the “Accelerated Violation of Probation Program”, (AVOPP), and the “Non-Sitting Judge” Program, (NSJ).

### **Grand Jury Selection**

Conducted in City Hall, these groups of 300 jurors are empanelled into the sitting Grand Jury in a most expeditious and professional manner. These refinements in the process have been well received by the participating judiciary.

### **Municipal Court Case Consolidation**

The Tipstaff proactively seeks matters “active” in the Municipal Court docket, and upon agreement of Counsel and the defendant, adds these matters onto the calendar of the day, for disposition. This year, this Program resulted in over 2,738 Municipal Court cases being resolved in the Court of Common Pleas.

### **Miscellaneous Departmental Information**

- Zero overtime expenditure for 7 years in a row.
- Reduced usage of “Sick Time”.
- Exceeded expectations for the FJD Combined Campaign.
- Exceeded expectations for the FJD Blood Drive.
- Coordinate and host Studies Program participants from Grade School through Graduate School.
- Participates in the Philadelphia Mentoring Program.

### **2011 Goals**

#### **Continue Rule 631A Waiver Program**

As judicial time is the most precious, this Program was designed to relieve the judiciary of most of their energy expended in jury selection. Upon agreement of the defendant and both Counsel, Counsel and supervisory staff conducted the more time consuming aspects of jury selection. The required presence of the Presiding Judge was reduced to make the necessary legal rulings on jury service, such as hardship, challenge for cause, etc.

Each jury selected in this way resulted in an additional block of time the judiciary has available for other matters in furtherance of the agenda of the Court.

#### **Intermediate Punishment and Expedited Arraignment Video Dispositions**

Courtroom 705 is the Expedited Case Management Courtroom for all Felony Waiver Program cases. Wiring, other hardware and software have been installed or ordered to institute the

acceptance of guilty plea via video for all incarcerated defendants who qualify for the Intermediate Punishment Program or who have been offered a “time served” sentence.

The timeliness of these one day track pleas will result in a significant reduction of the “days to disposition” for these matters, reduce the time to needed treatment for drug offenders and result in a generating significant savings for the PDOC.

### **Zone Court**

Starting in November of 2010 the Criminal Trial Division deployed into a Zone Court. In preparation of this monumental shift, Courtroom Operations supervisors and line staff were heavily engaged in the planning and logistics associated with this cross Court effort. Almost 75 per cent of the judiciary physically relocated from one Courtroom in the CJC to a new Courtroom. The scheduling of the painting and cleaning, the resupply and the “moving” of all of these rooms were carried out seamlessly. Each employee of this office was thoroughly trained in the new protocols regarding the Zone Court, many of them written by the supervisors. A thorough understanding of how each case came into our new system was necessary so that each case resided in the appropriate Zone and the appropriate Program.

### **Jury Flow**

Each and every juror is provided escorted transportation in secure elevators to the 44 Courtrooms in the CJC. This labor intensive service warrants against jury tampering and intimidation in any unguarded moment of jury service. Seated jurors as well as panels are delivered in this fashion.

### **CJC Lobby Program**

With the new Zone Court model, all Preliminary Hearings were scheduled for disposition in the Criminal Justice Center. With the daily addition of hundreds of cases and the people associated with each case, steps were taken to establish order in the Lobby and to better deliver the participants to the various floors. CROP staff secured the use of three of the six public elevators and placed them in manual operation mode. These three elevators only delivered CJC users up to the highest required floor and returned immediately to the Lobby for another trip to the upper floors. Even the harshest critic of the CJC would need to concede that these actions have vastly improved the usefulness of this facility.

### **Public Relations**

CROP staff acts as host to various visitors to our building. The International Visitors Council, local and regional colleges, universities, high schools and grade schools come to the CJC for field trips, mock trials and comparisons to their own judicial systems. In 2010, the CJC was the site of the national Mock Trial competition over a three day weekend which culminated in the finals which were held in City Hall.

### **State Custody Inmates with Local Detainers**

Upon demand, State inmates with open County matters are held in County custody until the first SMART Room listing. Negotiations are offered by the Commonwealth guilty pleas are entered in about 25% of the cases. If the offer is rejected, the inmate is returned to the State facility to await Trial. In direct conjunction with the Director of Prison Population Management, CROP supervisors identify, list and track these matters for early and efficient disposition.

### **File Delivery System**

In a rapidly changing courtroom environment, and despite the best efforts of preparation, it is often necessary to retrieve additional files for disposition in a courtroom. Utilizing the personnel assigned to Jury Flow and the Lobby Program, files are ordered and delivered as necessary to the courtrooms. This minor alteration to our business practice has resulted in a new efficiency of operation.

### **CPR/AED Training**

Almost 50 per cent of the staff here volunteered and are certified in this life-saving program.

## **Trial Division – Criminal – Adult Probation & Parole Department**

### ***Introduction***

The Philadelphia Adult Probation and Parole Department (APPD) is the largest Department within the Criminal Trial Division of the First Judicial District of Pennsylvania. The Honorable D. Webster Keogh, to whom the Probation Department reports, is the Administrative Judge of the Trial Division. The Chief Probation Officer, Robert J. Malvestuto, oversees APPD and reports directly to Joseph A. Lanzalotti, Trial Division-Criminal Deputy Court Administrator. The President Judge is the Honorable Pamela P. Dembe.

**Mission Statement** - The mission of the Philadelphia Adult Probation and Parole Department is to protect the community by intervening in the lives of offenders. We hold them accountable by enforcing the orders of the Court. Through a balance of enforcement and treatment strategies, we afford offenders the opportunity to become productive, law-abiding citizens. APPD provides all possible assistance to the victims of the offenders we supervise. The agencies mission is implemented as follows:

**Serve The Court** – Provide pre-sentence investigation reports, mental health evaluations, and other information needed for the judicial decision-making process.

**Protect The Community** – Monitor offenders granted probation or parole to ensure compliance with the rules and regulations of probation and parole, and Court-imposed special conditions. Through collaboration with community agencies, assist offenders in developing their potential.

**Service To Victims** – Provide services to victims of crime including developing victim impact statements, providing direct and referral services to victims, providing information to victim service providers and participating in victim service networks to promote the rights of victims.

**Vision Statement** – The vision for the future is to become a leading organization in the field of community corrections by implementing evidence-based offender supervision strategies.

**Standards and Compliance** – The State Board of Probation and Parole promulgates American Correctional Standards which county Probation Departments in Pennsylvania are obligated to meet. For 2010, there were 227 such standards, all of which were met by APPD. The level of compliance with these standards is tied to the SBPP Grant-In-Aid program, which subsidizes 35% of the salaries of staff in certain classifications.

**Staffing and Workload** – Staff are represented by the American Federation of State, County and Municipal Employees (AFSCME) and salaries are determined in part through collective bargaining. FJD determines the salaries of non-represented employees.

<b>STAFF CATEGORY</b>	<b>COUNT</b>
Managers	47
Probation Officers	271
Support Staff	45
Part-Time Staff	23
Vacancies	60

## **Programs – Specialized Units and Functions**

### **Administrative Supervision Division**

ADMINISTRATIVE SUPERVISION (AS) – Three AS units supervise offenders who are predicted to not commit any new offenses. The ratio of offender to officer is higher in these units with reduced reporting frequency.

ACCELERATED REHABILITATIVE DISPOSITION (ARD) – ARD is a diversionary program available to certain first time non-violent offenders at the discretion of the District Attorney’s Office. The ARD unit supervises all offenders in the ARD Program.

FRAUD – The Fraud unit supervises offenders convicted of defrauding the Department of Public Welfare, Insurance Companies and Unemployment Compensation. This unit is funded by the District Attorney’s Office. There was a reduction in the grant funding in 2010 resulting in the reduction of four officers assigned to this unit.

### **General Supervision Division**

GENERAL SUPERVISION (GS) – Six GS units supervise offenders who are predicted to be charged with a new, not serious offense. Offenders supervised by this division report to APPD monthly.

### **Anti-Violence Supervision Division**

ANTI-VIOLENCE – Four AV units supervise offenders who pose the greatest risk to public safety. They are predicted to be charged with one of the following offenses within two years of their probation start date: murder, attempted murder, rape (or other sex offenses), robbery, or aggravated assault. These units are regionalized and use intensive supervision techniques such as field visits and targeted patrols, as well as Cognitive Behavioral Therapy.

YOUTH VIOLENCE REDUCTION PARTNERSHIP (YVRP) – YVRP is a multi-agency effort to reduce violent crimes among high-risk/at-risk juveniles and adults age 24 or younger. YVRP officers conduct Targeted Patrol with Police Officers, visiting homes between 4:00 p.m. and midnight in 12th, 19th, 22nd, 24th and 25th Police Districts. The American Probation and Parole Association (APPA) presented its Distinguished Annual Program Award to APPD in 2007 in recognition of the success of YVRP.

### **Specialized Supervision Division**

**DOMESTIC INTERVENTION** – The Domestic Violence unit supervises offenders prosecuted by the Family Violence and Special Victims Unit in the DA’s Office. These are chronic, serious domestic violence offenders court-ordered to domestic violence treatment and supervision. All cases with a domestic violence condition are referred to anger management counseling.

**FORENSIC INTENSIVE RECOVERY (FIR)** – This program was developed in conjunction with the District Attorney, Public Defender and Philadelphia Health Management Corporation. Offenders in this program have the dual diagnosis of substance abuse/mental health problems and are supervised in the FIR unit.

**GUN COURT** – This specialty court began on January 10, 2005. APPD’s two Gun Court units provide strict supervision for offenders convicted of Violation of the Uniform Firearms Act (VUFA). All must perform community service and participate in violence awareness programs. Gun Court probation officers participate in targeted patrols of high crime areas with the Philadelphia Police Department.

**INTERMEDIATE PUNISHMENT (IP)** – IP is a probation sentence established by statute intended to divert offenders from state prison. Offenders who have substance abuse problems and are scored in the upper range of the Sentencing Guideline calculation are eligible for IP and their supervision includes inpatient drug and alcohol treatment and house arrest with electronic monitoring.

**MENTAL HEALTH** – Offenders in this unit are stipulated by the sentencing judge. Offenders have documented psychiatric difficulties and require mental health treatment. This unit works closely with the Court Mental Health Clinic to identify treatment options and develop supervision plans for the offenders. Offenders convicted in Mental Health Court are supervised by the Mental Health unit.

**MONITORED SUPERVISION**– This unit provides a structured alternative to incarceration for offenders who are monitored electronically and referred for needed treatment. Offenders who violate their monitoring conditions are subject to arrest by the Warrant Unit of Pre-Trial Services.

**OUT OF COUNTY/STATE** – Offenders who reside in another jurisdiction but are convicted of a criminal offense are supervised by the Probation Department in the county of residence, with administrative monitoring by officers in this unit. APPD receives reports from the supervising jurisdiction, which sometimes requires intervention by our officer. This unit also provides courtesy supervision for offenders that live in Philadelphia but were convicted of a criminal offense in other jurisdictions. Cases are returned to APPD for cause.

**SEX OFFENDERS** – This unit intensively supervises offenders convicted of sexual offenses. Supervision includes urinalysis, counseling referrals, and monitoring of stay away orders and inappropriate living arrangements. The officers initiate Megan’s Law registration for those offenders convicted of designated sex offenses. Female sexual offenders are assigned to one officer to specifically address their issues. Computer technology monitors and blocks internet usage by certain sex offenders.

### **Supervision Support**

**CENTER FOR ADULT EDUCATION** – This program is a joint effort between APPD and The Center for Literacy (CFL), a private, non-profit philanthropic organization. APPD provides office space and supplies. CFL provides on-site evaluations and referrals to educational programs, which consist of instruction from basic literacy through GED preparation.

**COMMUNITY SERVICE** – This program arranges all Court-ordered community service for offenders so conditioned. APPD has developed well-monitored site placements with responsible organizations. APPD receives reports on hours of service by offender and maintains computerized records of completion.

**COURT MENTAL HEALTH CLINIC** – Mental health evaluations are ordered by the judiciary to determine the offenders’ competency to stand trial and assist in their own defense. Evaluations are also ordered for involuntary commitment cases, amenability to treatment determinations, and special requests from trial Judges. The clinic honors APPD requests for mental health evaluations on supervised offenders and provides training for the judiciary regarding mental health issues.

**DNA** – DNA samples are collected from offenders convicted of felonies in accordance with Pennsylvania Act 185-2004. Testing is conducted with State Police Standards by a technician from Compliance Oversight Solutions Ideal, LLC, a contracted vendor. The Pennsylvania State Police supplies collection kits and receives the results.

**DRUG DETECTION CENTER** – APPD operates an on-site drug detection laboratory which is staffed by a contracted vendor. The department has made a concerted effort to drug test only those offenders who would benefit from this service. This has resulted in a reduction in the number of tests and the associated costs.

**FACILITIES AND GRANT MANAGEMENT** – Several staff who have other duties share the following responsibilities:

- Building Management - 1401 Arch Street Philadelphia, PA 19102
- Vehicle Fleet Management
- Equipment and Supplies – ordering, storing, inventory, distribution and repair.
- Criminal record checks on supervised offenders for compliance with DPW standards.
- Supervision of part-time clerical employees

- Ensure compliance with federal, state, and local grants
- Maintain messenger service
- Management of Service Contracts

INTAKE – Intake technicians use Monitor to initiate probation cases for all offenders so sentenced. Case imitation involves briefly interviewing the offender, entering docket information and running the offender risk assessment. All new probation officers do a rotation in this unit as it is the best training ground for understanding the business of probation. Student interns and externs are also assigned there. Unit staff works closely with the Clerk of Quarter Sessions.

OPERATIONS SUPPORT – These specialized technical staff handle the administrative transactions generated by certain frequently-occurring case events.

- RECORDS MANAGEMENT
  - Maintains and catalogs master files, each of which contains all documents accumulated for any offender supervised by APPD whose cases have expired.
  - Creates new cases via the Monitor caseload management computer application resulting from parole petitions and requests for courtesy supervision from other jurisdictions.
  - Responds to subpoenas for archived case information.
  - Responds to requests from other agencies for information on active and expired cases.
  - Processes a number of Monitor transactions, including case transfers, expirations and quality control printouts.
  - Microfilms expired cases on an aging schedule.
  
- AVOPP COURT –This court hears all technical violations of probation. These hearings are handled by one probation officer assigned to the Supervision Support Division. This court has greatly streamlined the handling of technical VOPs.
  
- CRASH COURT - This court hears all Gagnon I hearings. These hearings are handled by one probation officer assigned to the Supervision Support Division.
  
- VIOLATION OF PROBATION MANAGEMENT
  - Generate and track arrest warrants requested by officers for offenders who have violated or absconded from supervision.
  - Track potential open-bill violations through the trial phase, identify direct violations and request violation hearing on ‘ready’ cases as determined by our assessment of offenders’ legal profile.
  - Field inquiries from agencies nation-wide regarding our offenders apprehended in other jurisdictions.

- Issue and track warrants requested by State Parole agents on certain shared-supervision cases; schedule and attend warrant hearing.

PAROLE – Parole staff are responsible for the timely issuance of petitions to sentencing Judges based on local parole eligibility rules. The Release Information Network (RIN) is a networked computer application used by APPD and the Public Defender to support the paroling process. The Parole Unit receives and acts on both approved and denied petitions received from sentencing Judges.

PRESENTENCE – Two presentence units are staffed by experienced probation officers, who conduct background investigations examining and evaluating the offender’s criminal and psycho-social history. Investigators compose reports for requesting Judges to assist in sentencing.

REENTRY INITIATIVES - The Mayor’s Office for the Reintegration Services for Ex-Offenders (RISE) offers reintegration services to offenders upon their release from prison. This program also provides life-coaches and mentors. APPD staff refers offenders to their job training and placement services.

VICTIM SERVICES UNIT – Two probation officers are dedicated to assisting victims of crime. These officers reach out to all victims of sexual offenses and survivors of homicide attempts. They work with victims to compose impact statements which are a part of the presentence report and coordinate services with support agencies.

### **Training & Policy Development**

FUGITIVE SAFE SURRENDER – This is an on-going faith-based initiative of receiving and processing offenders wishing to turn themselves in to clear outstanding warrants.

MONITOR – Monitor is the APPD case management system used by probation officers to enter data on all aspects of case supervision. Managers also use Monitor to audit cases and otherwise oversee the operation of their units. Technically proficient staff maintain liaison with the vendor and conduct ongoing weekly and ad hoc phone conferences to support and improve the program.

PROB-START (Probation Supervision Through Analysis, Research and Training) – An overarching management construct using data from Monitor; started after Monitor had been in use long enough to yield informative results to targeted queries. Management identifies reviews, and acts on trends. The Chief Probation Officer selects a topic of importance in case supervision which is analyzed by the research team. Concurrently, Managers, Supervisors and Officers audit cases for instances of the ProbSTART topic. Group case conferences are held and management and line staff present and explain pertinent cases. Identified practices are lauded or remediated. They serve as the basis for policy development and department-wide training

**TRAINING** – This multifaceted unit arranges for and conducts training which, among other things, complies with the Pennsylvania Board of Parole and Probation mandate of 40 hours for professional staff and 16 hours for support staff. The Training Unit studies and develops policy for the department. FJD subsidizes, through APPD, certain graduate studies for which training hours are credited.

### **Research**

**SPECIAL PROJECTS AND RESEARCH** – Provides APPD with operational and evaluative information not otherwise available. Two degreed professionals conduct fruitful studies and receive support and liaise with the University of Pennsylvania and Temple University. With University of Pennsylvania we have implemented the APPD risk tool that is used to assess the offender risk. The research department completed a case processing analysis of sex offenders, updated the annual WRISS Report, and completed an evaluation of the APPD Risk Tool using six month recidivism data.

**WEAPONS RELATED INJURY SURVEILLANCE SYSTEM (WRISS)** – APPD maintains a database of shooting victims in Philadelphia with data from the Philadelphia Police Department. APPD uses these data to: 1) identify APPD offenders who were victims of gun violence; and 2) disseminate weekly reports.

## Office of the Chief Probation Officer Robert J. Malvestuto

### Highlights of 2010

- **HIGH RISK EXPERIMENT** – A study to test the effectiveness of cognitive behavioral therapy on high risk offenders began in the beginning of the year. This experiment is a joint effort between APPD and the University of Pennsylvania.
- **NEW VERSION OF RISK ASSESSMENT** - A new version of the APPD risk tool, which integrates juvenile court data into the assessments was completed and implemented.
- **ANAYLSIS OF SEX OFFENDERS** - In March, working with Philadelphia Health Management Corporation, the research team completed a report on offenders arrested for sex offenses and how their cases move through Philadelphia's court system.
- **WRISS REPORT** – Our research team issued its latest version of the gunshot victimization report covering victims from 2002 through 2009.
- **RISK TOOL EVALUATION** - Work on the risk tool evaluation began this year. The phase one report examined how the department looks now that it has been reorganized based on risk. A second report calculated six month recidivism rates. The third phase of the evaluation, a stakeholder analysis, was completed in 2010.
- **OPERATIONS MANUAL** - The research department, together with training and policy development, spearheaded an effort to revise/recreate the operations manual. Approximately half of the work on this project was completed in 2010.
- **PROB-START** – This year, the division directors assumed responsibility for conducting case conferences to review to identify and act on trends. This was done with the assistance from the research department. The Chief attended all conferences.
- **SPECIALITY TRAINING** – The Education and Training Coordinator for Women Against Abuse trained all APPD officers. This training is the same program given to Philadelphia Police Officers and Dispatch personnel. The training provided an overview of Domestic Violence, including a review of the power/control theory, factors contributing to why individuals remain in abusive relationships, the APPD's policy regarding interacting with and responding to victims and/or their complaints and departmental procedures for responding to an offender on whom a complaint has been issued.

- **PSI REPORT** – A modified PSI Report was developed by APPD managers in conjunction with and approved by the Supervising Judge of CP Court for the felony waiver track rooms and the President Judge of Municipal Court for all MC dockets.

*Please see Criminal Section statistics on page 127.*

## **Civil Section**

### **Overview**

During calendar year 2010, the Trial Division - Civil continued to administer justice in Philadelphia in an efficient and productive manner. The Civil Section continues to provide access to justice by the implementation of innovative and progressive caseflow management systems, continuous education for support staff, creation of appropriate pre-trial forums and technologic advancements. Testament to this continued high level of performance is the National Center for State Courts which remarked that the Trial Division- Civil “performance with civil jury cases is now better than that of *any* large urban trial court in the United States.”

### **Civil Case Management Programs**

The key to the success of the Trial Division - Civil is the intense management of cases. Civil cases are categorized and placed into case management programs and centers specifically organized for effective handling and prompt, precise disposition. Significant court events are scheduled and deadlines are enforced. These programs and centers include Complex Litigation, Day Forward Major Jury, Commerce Case Management, Compulsory Arbitration, Residential Mortgage Foreclosure Diversion Program, Motions, Class Actions, Governmental and Administrative Agency Appeals, Forfeiture, Code Enforcement, Landlord/Tenant Appellate Mediation and Discovery, as well as the Civil Case Management and Dispute Resolution Centers.

### ***Civil Motions Program***

The Office of Civil Administration/Motions Program currently has twelve employees and is primarily responsible for processing non-discovery motions, petitions, preliminary injunctions and temporary restraining orders filed in all civil actions within the Trial Division. Annually, the total number of accepted filings averages 65,000 which includes motions, answers to motions, preliminary objections, answers to preliminary objections, stipulations requiring court approval, replies and briefs. As a result of these filings, over 50,000 motions were assigned to the judges within the division in 2010.

The assignment of motions and petitions is governed by the Civil Motion Assignment Matrix. The Motion Assignment Matrix provides for the assignment of motions and petitions to the Team Leaders and Coordinating Judges of the respective programs. Motions and petitions filed in the Compulsory Arbitration, Arbitration Appeal and Non Jury Programs are assigned to the two presiding Motions Judges. The Motions Judges also review and dispose of motions and petitions which are filed in a variety of other miscellaneous actions.

In addition to the Motions Program, other programs administered by this Department include the Motion Argument List, Preliminary Injunctions, Temporary Restraining Orders, Civil

Tax Petitions, Real Estate Tax Liens, Tax Complaint Trials, Statutory Appeals, Municipal Court Landlord/Tenant Appeals, City of Philadelphia Lead Contamination and Code Enforcement Injunctions and the Forfeiture and Return of Property Program.

The Motion Argument List consists of motions to withdraw appearance of counsel in cases assigned to the arbitration program, motions to approve structured settlements, petitions for redemption of foreclosed property, petitions for writ of seizure, petitions to transfer title to vehicle and other matters ordered on the argument list by the court. The Motion Argument List is titled as such because it is for argument only; the court does not take testimony except in cases specially listed for that purpose on emergency requests for relief. Listings for these motions average approximately 125 per month.

In addition to motion assignments and daily motion argument listings, the Motions Judges preside over statutory appeals as well as a variety of the city tax enforcement matters.

In calendar year 2010, the most notable change occurred within courtroom operations as jurisdiction over the Courtroom 446 Calendar Programs was moved from Court of Common Pleas Judges to Judges of the Municipal Court certified to sit as Court of Common Pleas Judges. These programs include Lead Contamination, Code Enforcement, Municipal Court Landlord/Tenant Appeals, and Pennsylvania Department of Transportation Statutory Appeals.

Forfeiture and Return of Property Program proceedings are civil in form; the proceedings are quasi-criminal in character. If a Motion for Return of Property is filed under the Pennsylvania Rules of Criminal Procedure \*588, the claimant bears the burden of production and must proceed first. If both a Motion for Return of Property and a Petition for Forfeiture have been filed the parties may agree to consolidate the matters and proceed under the Controlled Substances Forfeiture Act. Generally, a Return of Property petition is filed after the underlying criminal case has been resolved. The defendant/claimant has a better chance to retrieve property, if the underlying case is resolved in the defendant/claimant's favor. This department acts as the listing unit for these types of filing with listings averaging 60 per day.

Listed below, here and on the next page are the current inventories for the above mentioned programs:

<b>Program</b>	<b>2010 Filings</b>	<b>2010 Dispositions</b>	<b>2011 Current Inventory</b>
<b><i>Civil Tax Complaints</i></b>	<b>187</b>	<b>193</b>	<b>117</b>
<b><i>Civil Tax Petitions</i></b>	<b>130</b>	<b>507</b>	<b>140</b>
<b><i>Code Enforcement</i></b>	<b>409</b>	<b>355</b>	<b>265</b>
<b><i>Lead Contamination</i></b>	<b>188</b>	<b>196</b>	<b>105</b>

<b>Program</b>	<b>2010 Filings</b>	<b>2010 Dispositions</b>	<b>2011 Current Inventory</b>
<b><i>MC Landlord/Tenant Appeals</i></b>	<b>200</b>	<b>311</b>	<b>48</b>
<b><i>Statutory Appeals (Penn Dot)</i></b>	<b>649</b>	<b>717</b>	<b>162</b>
<b><i>Statutory Appeals (Other)</i></b>	<b>478</b>	<b>622</b>	<b>397</b>

### ***Electronic Filing System***

The First Judicial District Civil Electronic Filing System (EFS), mandatory to all civil litigant users since January 5, 2009, continues to flourish and evolve. In addition to the numerous current valuable facets of the EFS, improvements and new developments continue to benefit the court and its users.

Several unique system features embody the kind of forward-thinking approach that has separated Philadelphia from its counterparts across the state. The *My Cases* link, which allows a user access to their case inventory and all available electronic documents in the court's record, has been a major highlight of the system since its inception. So, too, has the electronic notification of court filings to all members of the subject case who are EFS users.

In 2010, the court made large strides in refining and expanding the EFS and its capabilities. One major improvement realized this year has been the tailoring of the EFS to accommodate actions and filings that relate to the Eminent Domain Code. Working closely for the last year with a section of the Philadelphia Bar, the court has modified the existing filing categories and screens to better suit the very unique filings associated with this type of litigation.

Providing the ability to file Arbitration Applications electronically was another goal met this year. More than 9,500 Arbitration Applications were filed, reviewed and administered electronically in 2010. Throughout the year other slight modifications, including increasing the file size limit on PDF documents submitted for filing from 3 to 5 Mb, have been implemented to better accommodate users. However, for the court and its users, the most beneficial change to the EFS in 2010 has been the extension of the electronic notification concept.

The process of electronic notification of judicial orders and other documents requiring notice pursuant to Pa.R.C.P. \*236 was instituted in November 2009. Since implementation, over 570,000 notices of such documents have been mailed electronically to all interested parties. Postage savings realized by the court is in excess of \$250,000. Other cost savings are noticed as the need for envelopes, paper, toner, man power and other related expenses has significantly decreased because of the new electronic mailing process. In March 2010, a process for electronically mailing notices of court events, normally printed and sent via regular mail, was implemented. Just as with the mailing of judicial orders, all interested parties that have an

electronic profile receive electronic notification of court events via e-mail while those without receive a printed notice by regular mail. Exceeding expectations, of the more than 135,000 notices of court events produced, about 97,000, or 72 percent, of the notices have been sent electronically. That, again accounting for postage only, translates to over \$43,000 in savings. In addition to all cost savings, the belief is that a more efficient and reliable means for notifying parties of events has been realized.

### Electronic Filing System: Greater Efficiency = Savings

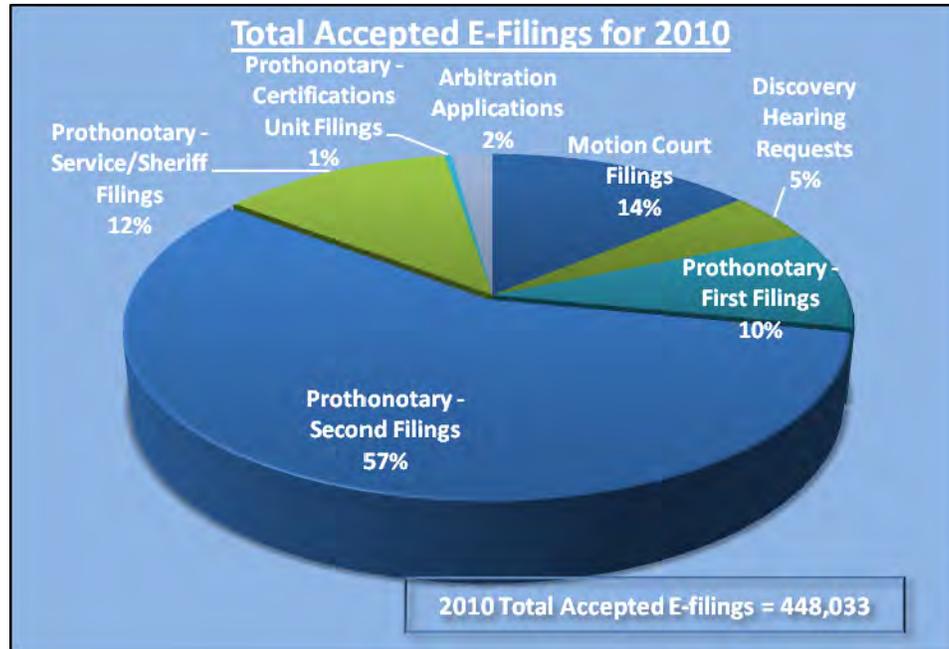
JUDICIAL ORDERS E- MAILED  Since 11-9-09	SCHEDULE NOTICES E- MAILED  Since 3-9-10	SCHEDULE NOTICES BY REGULAR MAIL  Since 3-9-10	% OF TOTAL SCHEDULE NOTICES E- MAILED	POSTAGE SAVINGS ON JUDICIAL ORDERS	POSTAGE SAVINGS ON SCHEDULE NOTICES
569,734	97,715	38,659	72%	\$250,801	\$43,320
<i>Data through 12-31-10</i>					

<b>2010 Electronic Filing System Statistics</b>	
<b><i>Electronic Filings Accepted</i></b>	<b>448,033</b>
<b><i>Documents Filed Electronically</i></b>	<b>683,225</b>
<b><i>Documents Scanned by the Court</i></b>	<b>164,308</b>
<b><i>Newly Created EFS Profiles</i></b>	<b>Attorneys – 1,727</b> <b>Pro Se Filers – 2,181</b>
<b><i>Value of Credit Card Transactions Processed</i></b>	<b>\$23,217,820.20</b>

Moving forward in 2011, goals have been set to continue to evaluate and improve the accessibility and performance of the EFS. Creating the capability to electronically submit sensitive documents such as filings sealed by court order or conference memoranda is on the horizon. Modifications to the labeling and display of electronic documents to help fortify an already extremely

user-friendly system will be completed in the coming months. Multiple training sessions for the bar and other partners of the court will be made available as well.

The First Judicial District's main goal will always be to provide a reliable and accurate case filing system which fundamentally provides effectiveness in court operations and fairness in judicial decisions while maintaining case records and integrity in processing.



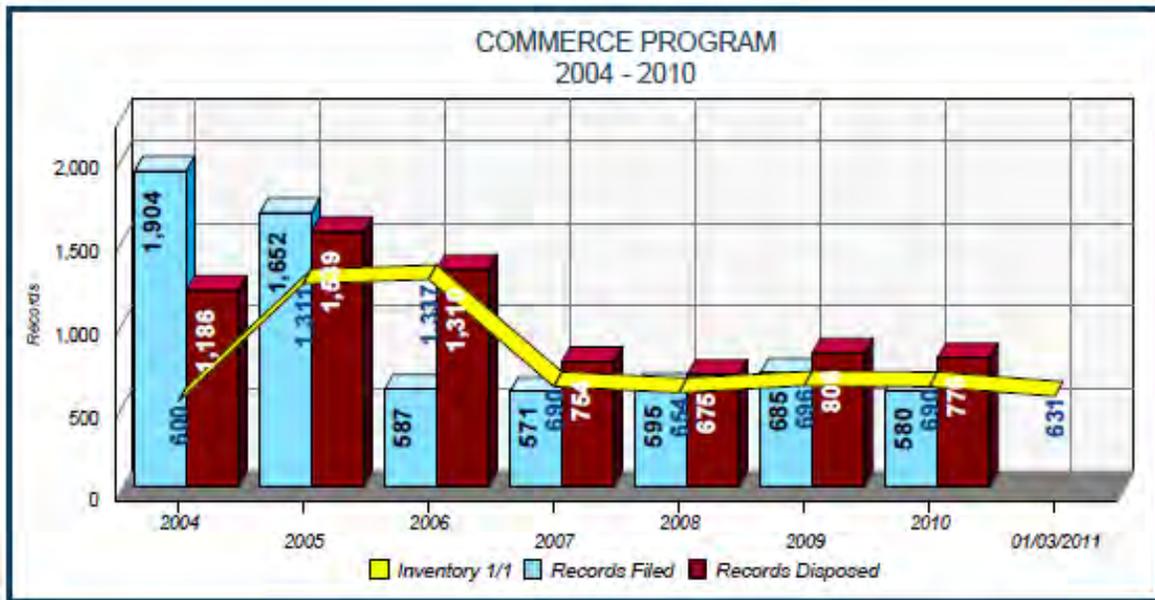
### **Commerce Program**

In January 2010, the Commerce Case Management Program celebrated its 10<sup>th</sup> anniversary handling complex litigation involving local, national and international business entities. As in previous years, the Commerce Program resolved disputes involving a diversity of parties and issues: corporate shareholders, company members and partners, construction contracts, professional malpractice, unfair competition; malicious prosecution, commercial insurance policies and negotiable instruments. As a result of the economic downturn, the Commerce Program saw an increase in cases concerning failed real estate development projects, particularly condominiums and shopping malls, defaulted commercial loans and disputed lending practices.

There were four experienced trial judges assigned to the Commerce Program in 2010: Team Leader and Administrative Judge D. Webster Keogh, Senior Judge Albert W. Sheppard, Jr., Judge Mark I. Bernstein and Judge Arnold L. New. A dedicated team of four Court Administrative Officers, each of whom has been with the Commerce Program an average of eight years, assisted the Judges in the management and resolution of cases assigned to the Program. In addition, more than 120 qualified members of the commercial bar served as court

appointed settlement judges pro tempore, receivers and discovery masters in Commerce Program cases.

The Commerce Program has continued to fulfill its mandate to provide guidance on issues of Pennsylvania commercial law. Since its inception, the Commerce Program judges have published more than 800 opinions on the Commerce Program’s website, including over 50 new ones in 2010. During calendar year 2010, the Commerce Program judges disposed of 776 commercial cases, and as of December 31, 2010, there were 631 pending cases assigned to the Commerce Program.



### Complex Litigation Center

When it opened in 1992, the Complex Litigation Center (CLC) was the first facility in the United States designed exclusively for processing complex, multi-filed Mass Tort cases. The Mass Tort (including Asbestos), Major Non-Jury, Expedited Non-Jury (Equity) and Arbitration Appeal programs are managed within the Complex Litigation Center. The National Center for State Courts has noted, “...the creation and operation of the Complex Litigation Center is clearly one of the court’s major achievements and a substantial service to the citizens of Philadelphia, the Bar and the nation, given the scope of mass tort litigation and class actions.”

*“The creation and operation of the Complex Litigation Center is clearly one of the court’s major achievements and a substantial service to the citizens of Philadelphia, the Bar and the nation...”*

- The National Center for State Courts

During calendar year 2010, the total Complex Litigation Center inventory had increased from 6,837 cases to 7,773 cases by year's end.

### ***Mass Tort Program***

In 2010, The Mass Tort Program inventory increased from 4,288 records pending to 5,244 records pending. Twenty-seven Mass Tort Programs have been successfully completed since the program's inception. The Vioxx and Silica Mass Tort Programs were concluded in 2010.

As reported last year, the Mass Tort Section of the Complex Litigation Center continues to be the focal point of major drug company litigation. The Hormone Replacement Therapy Program continued to be the Complex Litigation Center's largest Mass Tort Program, making up 30% of the Mass Tort case inventory. There were 1,549 Hormone Replacement Therapy cases in the inventory at the end of 2010. The Yaz/Yasmin/Ocella Program saw a substantial inventory increase from 194 to 1,221 pending records, an increase of over 1,000 cases.

Four new Mass Tort Programs were created in 2010, all involving pharmaceutical litigation: Anticonvulsant Drugs, Hydroxycut, Reglan and Risperdal. The Reglan Program was the fastest growing new program, quickly swelling to 913 pending records by the end of the year.

It is noteworthy that the Paxil Birth Defect case inventory decreased 60 percent from 658 cases to 268 cases. The case inventory in the Avandia Program dropped from 917 cases to 258 cases, a 72 percent decrease. The Digitek Program case inventory dropped from 28 to 1 active case pending. The Firefighter Hearing Loss Program inventory decreased from 57 to 7 records pending. The decrease in case inventory in these programs is mainly attributable to settlement of the cases. A very effective trial scheduling model implemented by the Coordinating Judge provided for the coordination and grouping of similar cases for discovery work-up and trial purposes. This model not only promoted efficient management of multiple cases but also facilitated group settlement of cases.

In 2010, the Complex Litigation Center also rolled out a new Mass Tort Information page, which appears on the Court's Website. This information page was created in order to improve communication between the Court and the Mass Tort Bar and to stem the heavy flow of inquiries, written and telephonic, directed to Court staff about the CLC Mass Tort Program. The Website provides general information about the Complex Litigation Center and its Mass Tort Programs. It includes a "News and Events" section, which provides users with important information and updates on upcoming Court events, hearings, meetings, jury selection information and directives. Users may also view a specific program's calendar, master pleadings and global Orders as well as other pertinent program documents.

Additionally, the Website contains the CLC Master Docket and Liaison Counsel List, including information on any appointed Discovery Masters, information about standardized

procedures to be followed in Mass Tort motion practice and *Pro Hac Vice* Admission information. The Asbestos Trial List may also be accessed in real time. The scope of the Website is constantly being expanded, and in the future is expected to include all active trial and program inventory lists and judicial opinions.

### ***Major Non-Jury and Expedited Non-Jury Programs***

By year's end, there were 1,411 Major Non-Jury cases, an increase of 192 cases compared to the same time in 2009. There was a notable drop in the number of Expedited Non-Jury matters; the inventory decreased from 394 to 300 cases by the end of 2010. This decrease was mostly due to a decrease in filings in this program.

There was a significant change in how cases in the Major Non-Jury Program were managed. The automated system of serving Case Management Orders was terminated. Cases in the Major Non-Jury Program, as in the Expedited Non-Jury Program, were scheduled for a Case Management Conference 90 days from commencement and placed into trial pools. The addition of the Case Management Conference event subjected these cases to closer scrutiny and tighter Court oversight. As such, Rule Orders were entered, scheduling Rule Returnable Hearings on matters in which Complaints had not been filed or timely served. This process was implemented to prevent unnecessary delays in case flow management and to decrease the number of matters which were not trial-ready at the time of trial. The trial pool arrangement provided for greater flexibility in maintaining the trial calendar.

### ***Arbitration Appeal Program***

In 2010, there was a significant decrease in the pending records in the Arbitration Appeal Program. The inventory dropped from 1,268 cases to 818 cases. This decline in inventory coincided with a drop in the Arbitration Appeal rate, which was at an all-time low of 31%. This trend can be attributed in part to a renewed effort to ensure that litigants treat the Compulsory Arbitration Hearing event as a meaningful Court event and to stem unnecessary and frivolous appeals. One measure implemented provided for imposition of sanctions for parties who failed to appear at Arbitration Hearings. At the Rule Returnable Hearing, depending on the level of noncompliance and number of offenses, the party in violation faced a range of possible sanctions, from being ordered to pay for another Arbitration Hearing (\$225.00 for the pro rata cost of another arbitration panel) to having an Order entered disposing of the case (i.e., entry of non suit or assessment of damages).

On the subject of sanctions, in April 2010, a process was implemented that provided for the imposition of sanctions for a party's failure to appear for other mandatory Court events, including Case Management Conferences, Status/Trial Scheduling Conferences and Pre-Trial Settlement Conferences. A party could also be sanctioned for failure to timely file Pre-Trial

Settlement Conference Memoranda. The total sum of sanctions collected for the year was \$16,775.00.

To manage these cases more effectively, judges assigned to this program are divided into teams. To maintain consistent oversight of each case, each Team is led by a Judicial Team Leader. The Judicial Team Leader and the assigned team of judges rule upon all motions (including discovery motions), and they conduct status conferences, settlement conferences, pretrial conferences and trials.

### ***Compulsory Arbitration Program***

To assure effective case management, every case in the Day Forward Program is scheduled for a case management conference before a Civil Case Manager approximately 90 days after the initial filing. The main objective of the Case Management Conference is to obtain early disclosure of basic information so that each case can be managed more effectively. Based on this information, the Civil Case Manager prepares a Case Management Order that establishes a schedule for each case. The Case Management Order sets deadlines for discovery, the exchange of expert reports, and the filing of motions. Also, a presumptive month is scheduled for a settlement conference, pretrial conference, and trial.

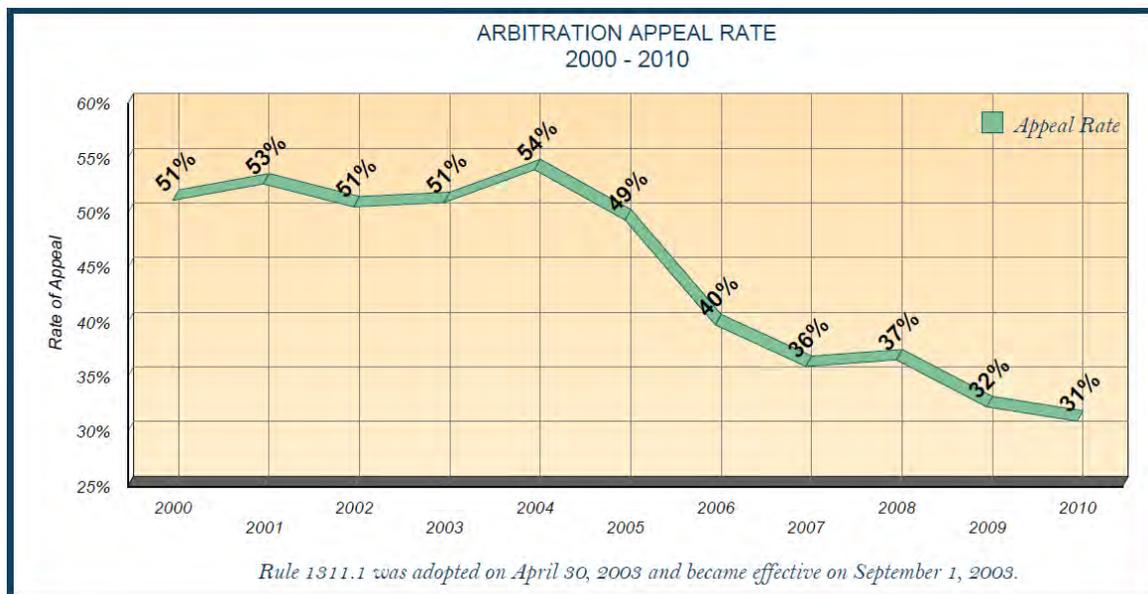
All civil actions filed in the Court of Common Pleas of Philadelphia County with an amount in controversy of \$50,000 or less must first proceed to a Compulsory Arbitration hearing before a panel of three attorneys who have been certified by the Court to serve as arbitrators. For several decades, the Philadelphia Compulsory Arbitration Program has been widely recognized as one of the best in the country; delegations from many states and even several foreign countries such as Korea and Egypt have visited the Arbitration Center and emulated it in their own jurisdictions. With 16,587 cases concluded at the Arbitration level in 2010, the Compulsory Arbitration Program continues to be an effective means of resolving civil disputes with the limited use of judicial resources.

For the third straight year, the program's rate of appeal for cases that proceeded to an arbitration hearing decreased and now stands at a ten-year low of 31 percent. The Arbitration Program's high number of dispositions and low appeal rate can be attributed to the court's recent introduction of new case management processes at the arbitration level. These processes, such as the use of the rule returnable hearings, promote meaningful arbitration hearings by ensuring that not only do all parties appear for arbitration but that they are fully prepared to participate in the hearing or risk the issuance of court imposed sanctions.

The members of the Arbitration Program staff were the 2010 recipients of the Trial Division – Civil prestigious Excellence Award in recognition of their exceptional teamwork, performance and dedication. The award was presented to the staff by the Honorable Judge D. Webster Keogh, Administrative Judge.

## 2010 Statistics and Accomplishments:

- 17,380 Arbitration level cases were filed in 2010.
- 16,587 Arbitration level cases were disposed of without appeal in 2010, or 90.27 percent of the overall Arbitration Case Inventory.
- 1,704 Arbitration Appeals were perfected in 2010, a decrease of 142 appeals from 2009.
- The Arbitration hearing appeal rate for 2010 was 31 percent, a ten-year low for the program.
- In 2010, the Arbitration Program processed 9,577 continuance applications through the court's E-filing system.
- \$1,077,575 was paid in Arbitrator fees in 2010, resulting in a cost savings for the First Judicial District of over \$20,000 from the previous year and a total saving of \$309,000 since 2009. It is anticipated that the First Judicial District will continue to see cost reductions for arbitrator expenditures for 2011 based on the existing level of case filings.



### **Day Forward Major Jury Program**

The nationally-recognized Day Forward Major Jury Program encompasses all major civil jury cases except Commerce and Mass Tort cases. Day Forward Case Management is a system that has been created to coordinate and schedule major jury cases for trial. It provides for early intervention and continuous control

***“The success of these programs has thus helped to make the Civil Section of the Trial Division in the Philadelphia Court of Common Pleas one of the finest and most successful urban trial courts in the country.”***

of the major jury cases. The National Center for State Courts has noted that 2010's continued success within this program (among others) has "helped to make the Civil Section of the Trial Division in the Philadelphia Court of Common Pleas one of the finest and most successful urban trial courts in the country."

To manage these cases more effectively, judges assigned to this program are divided into teams. To maintain consistent oversight of each case, each Team is led by a Judicial Team Leader. The Judicial Team Leader and the assigned team of judges rule upon all motions (including discovery motions), and they conduct status conferences, settlement conferences, pretrial conferences and trials.

To assure effective case management, every case in the Day Forward Program is scheduled for a case management conference before a Civil Case Manager approximately 90 days after the initial filing. The main objective of the Case Management Conference is to obtain early disclosure of basic information so that each case can be managed more effectively. Based on this information, the Civil Case Manager prepares a Case Management Order that establishes a schedule for each case. The Case Management Order sets deadlines for discovery, the exchange of expert reports, and the filing of motions. Also, a presumptive month is scheduled for a settlement conference, pretrial conference, and trial.

### ***Discovery Court Program***

In 2010, the First Judicial District's Discovery Court Program continued to efficiently expedite cases through the Trial Division – Civil Section. Operating in accordance with the alternative motion procedures set forth in Philadelphia Rule of Civil Procedure (Pa.R.C.P.) \*208.3, the Discovery Unit encompasses all Day Forward Programs, Commerce, Arbitration, Arbitration Appeal and Major Non-Jury programs. The Unit's assignment of discovery motions to judicial teams is a critically important part of the court's civil case delay reduction strategy. This strategy provides early and appropriate intervention in cases within the various civil programs under Pa.R.C.P. \*208.3(B)(2). *All Discovery petitions and motions (except in Mass Tort cases and cases already assigned to an individual Judge) are presented to, argued before, and determined by the Discovery Court.*

During calendar year 2010, the Discovery Unit was responsible for processing and assigning over 20,000 motions, petitions and stipulations requiring court approval. Depending on the particular civil program, discovery motions are scheduled for a hearing before a judicial team leader or Commerce Judge. A specific day and time has been reserved for the resolution of discovery motions in each program.

### **2010 Accomplishments:**

- Instituted electronic notification of judicial orders pursuant to Pa.R.C.P. \*236(B) (since November 9, 2009).
- Discovery hearings were moved to judicial team leader's courtroom (see Discovery Court schedule).
- Administrative Offices were moved to an upgrade location: Room 691, City Hall.

### **Goals and Expectations for 2011:**

- Create a new name change procedures manual to better guide pro se litigants through the name change process.
- Continue to improve customer service by resolving issues both quickly and successfully. This includes answering all emails and phone messages within an hour.
- Update Discovery Unit web site to allow attorneys and the public to view the most up-to-date information and documents
- Move forward with continuing employee education.

### ***Dispute Resolution Center***

The Dispute Resolution Center is an integral part of the Trial Division – Civil section as its purpose is threefold:

- Centralize the location for mandatory settlement conferences;
- Enhance uniformity in practice and procedure for these conferences;
- Offer counsel and parties appropriate facilities to assist in the disposition of civil cases.

As part of the initial case management order issued in all Day Forward cases, a mandatory settlement conference is scheduled. These occur after discovery, motion and expert deadlines so that the parties have a thorough understanding of the strengths and weaknesses of their cases and can approach settlement negotiations in a fully informed and meaningful manner. Depending upon the type of case (expedited, standard or complex), settlement conferences will take place 6 to 12 months after the initial case management conferences and two to three months before trial.

At the appropriate time, counsel will receive an order apprising them of the date, time and place for the settlement conference. Counsel in receipt of the order is expected to notify all other counsel or unrepresented parties of the settlement conference. Ten days prior to the conference, counsel must file a settlement memorandum at the Dispute Resolution Center in Room 691, City Hall.

In addition to filing the settling memorandum, counsels are obliged to appear at the conference on time and with full settlement authority. If a party does not attend, the party (or the party's insurer's claim manager) MUST be available by telephone during the conference.

The settlement conferences are presided over by a Judge Pro Tempore (JPT). JPT's are recruited from experienced members of the Philadelphia Bar Association. It is envisioned that at least six JPT's will sit each day, each handling six conferences. Consequently, it is anticipated that the center will hold settlement conferences for approximately 180 cases per week.

Before the conference, the JPT will have access to, and will have reviewed, the case file and the settlement memoranda previously submitted by counsel. At the conclusion of the conference, the presiding officer (JPT) will issue a settlement conference report that will summarize the results of the conference (latest demand, latest offer, report of settlement) or other comment or recommendations (remand to arbitration, proceed to trial, etc.). This will be made a part of the case file.

### **2010 Accomplishments:**

- In 2010, the Dispute Resolution Center presided over 3,250 Settlement Conferences and resolved 34 percent of those cases (or conferences).
- The consolidation of All-State Insurance Company for date was completed and will help to improve and expedite future negotiations by having insurer's Claim Managers constantly available.
- The SEPTA and All-State Insurance Company Arbitration-Appeal cases were successfully scheduled with a claim manager at a conference.
- With the help of the Philadelphia Trial Lawyers Association and the Philadelphia Association of Defense Counsel, the Dispute Resolution Center recruited more than 50 new volunteers for the Judge Pro Tempore Program.

### **Goals and Expectations for 2011:**

- Establish a Continuing Legal Education seminar for Judges Pro Tempore.
- Allow settlement conference memoranda to be filed electronically through the court electronic filing system. This will allow the Judge Pro Tempore to review the conference memoranda from the confines of their office in advance.
- Procure new recognition plaques honoring those who have volunteered as Judges Pro Tempore in the Dispute Resolution Center.
- Place Judge Pro Tempore names on the docket in order to allow the mediating parties to easily contact the JPT if necessary. In addition, this will allow the court to contact the Judge Pro Tempore for follow up if needed. The Judge Pro Tempore will also be able to track the cases they mediated.
- Move forward with continuing employee education.

### ***Mortgage Foreclosure Diversion Program***

In 2008, there were approximately 10,000 mortgage foreclosure complaints filed in the city of Philadelphia. This number was indicative of the epidemic facing homeowners across America. It is now 2011, and the national foreclosure rate has not slowed. In fact, many believe the situation will worsen as a new wave of adjustable rate mortgages set in. However, starting in 2008 and continuing to this day, the First Judicial District of Pennsylvania has led the way in addressing this crisis.

In April 2008, Philadelphia Sheriff announced that that office would not proceed with the Sheriff's Sale list for that month. That same month, with the support of city officials, the court developed the Mortgage Foreclosure Diversion Pilot Program. The program was developed in less than 7 weeks with the assistance of the Mortgage Foreclosure Steering Committee, in operation since 2004. The Committee, comprised of representatives from the City, Sheriff's Office, OHCD, lender and consumer bar, community outreach agencies and the Philadelphia Bar Association, were primed to assist the First Judicial District (FJD) in developing the current pilot program as stakeholders in the foreclosure process. By June 2008, the program was up and running and the goal was simple; save homes in Philadelphia, one address at a time.



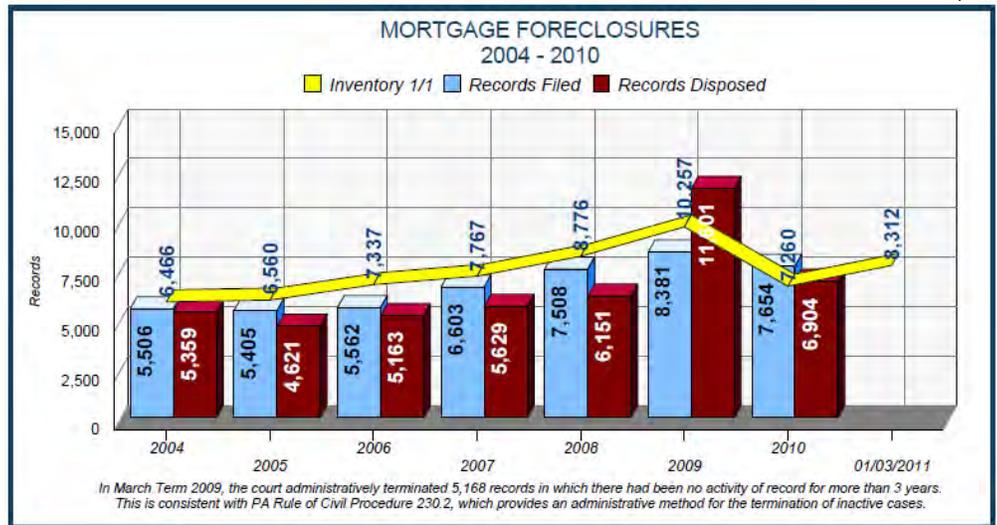
**A conciliation conference takes place in Common Pleas Court in March 2010.**

The Mortgage Foreclosure Diversion Program rests on the theory that if homeowners and lenders are brought face to face, deals can be struck. This is exactly what takes place each Thursday in courtroom 676 City Hall. When the complaint for foreclosure is filed it must be served on the defendant homeowner (as in any civil proceeding), and with that complaint comes a case management order stating that the homeowner has a conciliation conference scheduled. Attached to that order are instructions that direct the homeowner to contact the Save Your Home Philly Hotline to schedule an appointment with a city-employed housing counselor. This counselor performs the initial intake of these homeowners and prepares both parties before the conference takes place. Together they gather all necessary financial information to hand over to the attorney for the plaintiff BEFORE the conference. Both parties then attend the conciliation conference on a designated Thursday where they attempt to negotiate a resolution with the assistance of a housing counselor, volunteer attorney for the homeowner and, if necessary, a Judge Pro Tem (JPT).

The Mortgage Foreclosure Diversion Pilot Program is simply another manifestation of the case management tool that is used in other areas of the Trial Division – Civil. The conference is mandatory and is held before the Sheriff’s Sale with the hope that the Sheriff’s Sale never takes place. Once inside courtroom 676, the homeowner is entitled to a free attorney for their conference if they meet eligibility requirements. The program has over 400 volunteer attorneys who have stepped up to offer their time and services thanks to the efforts of Volunteers for the Indigent Persons, a non-profit legal organization in Philadelphia. Other senior members of the local bar have also volunteered their time to serve as JPT’s in these cases.

At the conclusion of the conference, a court order is submitted indicating the resolution reached. Resolutions can be forbearance, a stay of sale, settlement of the entire action, loan modification, loan reinstatement, payment plans and, in some instances, “graceful exit.” The latter refers to occasions when the homeowner simply cannot remain in the house, and thus, instead of enduring a Sheriff’s Sale, the lender and homeowner agree upon a date for the homeowner to exit the property.

As of December 2010, the court has scheduled more than 13,000 cases for conference. Of that number, approximately 75% of homeowners have come out of the conference program with a resolution. According to the Office of Community Housing and Development in Philadelphia,



approximately 3,400 homeowners resolved the matter outright, and approximately 4,000 others are currently in queue to receive permanent resolutions. Of the 25% that do not appear, there is data to suggest that those properties are ineligible for the program as they are vacant, or otherwise not owner-occupied. Program administrators are in the process of developing the means to examine current data to most efficiently track results to date.

In October 2008, the Mortgage Foreclosure Diversion Pilot Program was the subject of a U.S. Senate Judiciary Hearing called by Senator Arlen Specter and presided over by himself along with Senator Bob Casey, wherein representatives from all sides of the issue were able to

testify. This hearing also included testimony from homeowners who benefited from participation in the program.

In September 2009, the Congressional Oversight Panel conducted a hearing in Philadelphia regarding the issue of foreclosures. They heard testimony about the Mortgage Program in Philadelphia and the success of the First Judicial District's efforts.

Various news agencies including CNN, BBC, ABC, Dateline, Fox, The New York Times, The Wall Street Journal, The Washington Post and The Philadelphia Inquirer have covered the program in some capacity. In addition, representatives of the program are often asked to speak locally and nationally about the program at both consumer and lender conferences.

Most recently, Judges from every county were invited to participate in a day-long seminar about the various mediation programs established in Pennsylvania. It was a great success with many smaller counties now having the state-wide support to start similar programs of their own.

It is this sort of initiative that has garnered attention from the federal government as program representatives were also asked to speak on a panel for Vice President Joseph Biden's Middle Class Task Force/Access to Justice Event at the White House in November 2010. New foreclosure prevention initiatives were discussed and the First Judicial District's Foreclosure Program was highlighted as a great example of an effective measure taken to deal with the wave of foreclosures plaguing jurisdictions everywhere. The subsequent "Emerging Strategies for Effective Foreclosure Mediation Programs" report from the U.S. Department of Housing and Urban Development noted that, "outcomes from several established programs [including the First Judicial District's] are impressive, with some boasting 70-75 percent settlement rates," and singles out the FJD's strategies and accomplishments in several sections of the report.

The First Judicial District is constantly looking for new solutions to this problem and the most recent federal solution from Congress has authorized HUD to spend \$1 billion to help unemployed homeowners with Pennsylvania set to receive \$105 million of this money. This money is ten times the amount currently available through Pennsylvania's own HEMAP program.

***"...outcomes from several established programs are impressive, with some boasting 70-75 percent settlement rates."***

- U.S. Department of Housing and Urban Development

The First Judicial District has become a leader in foreclosure mediation and is touted as the model in this area. Mortgage Foreclosure Diversion Pilot Program has, without a doubt, been a success. The program faces hurdles on a daily basis and there is much to be improved upon, but the foundation is there. Homeowners and lenders

alike are able to come to a conference and walk away with an amicable resolution that often allows the homeowner to stay in the home, and the lender to have a performing loan. The First Judicial District will continue to work hard to improve this program and will do so knowing that it is making a difference not just in Philadelphia but across America.

### ***Civil Education, Training and Development Program***

Education, training and development all pay significant dividends in improving court performance. In 2010, the Trial Division – Civil section of the First Judicial District assembled a committee consisting of employees of the division who were charged with instituting a program designed to develop the division’s employees.



**The Civil Education, Training, and Development Committee.**

The goal established by this committee is to provide continuous professional development of and education opportunities for the employees of the Trial Division – Civil section as well as the staff in the Office of the Prothonotary. Through well-designed course planning, the staff receives training in multiple facets of court management geared towards enhancing their knowledge, office skills and personal abilities.

The program has been structured to be carried out in three phases. The initial phase consists of sessions focused on skill building in the workplace. Training in customer service, business writing, Microsoft applications such as Word and Excel, personnel policies, time management and several other topics began in September 2010. Trainers ranged from officer managers to the district’s Court Administrator - each with a special knowledge and insight into the presented subject matter. All told, ten sessions were held to complete the initial phase in December 2010.

The second phase, beginning in January 2011, will focus on the structure of the court and will include training sessions covering court hierarchy, trial court performance standards, rules of civil procedure and the conduct of trial and arbitration hearings.

The final phase will provide an in-depth look into the Trial Division – Civil court programs such as the commerce court, discovery and motions programs, mortgage foreclosure diversion program and municipal court appeals programs to name a few.

Over 60 employees from throughout the civil section attend each of the scheduled training sessions. Some of the court's judiciary and court administrators are frequently in attendance as well. Attendees are always provided with course materials and visual aids that help keep the sessions engaging. A section of the district's intranet site has also been developed to provide a hub for communication, a calendar of events and links to important resources for trainees.

Moving into 2011, the committee has prepared the program to conclude in May 2011. However, moving forward, an expansion and continuation of the education, training and development concept is on the horizon. Utilizing technology such as the intranet site and webinars will provide vehicles for reaching a broader range of members of the district as professional development becomes a stronger focus court wide.

## **Advances in Technology**

### ***(High Technology Courtroom & Website)***

Today, technology is perceived as the single most potent force transforming the justice system landscape. Technology in its many facets impacts the types of disputes brought to court, the manner in which trials can be conducted and evidence presented, how court and trial papers are filed, stored and accessed, and how decisions are distributed.

### ***High Technology Courtroom***

The High-Technology Courtroom in City Hall continues to serve as the location of choice for a multitude of trial and non-trial events. According to all reports, the technology in 625 significantly improved the FJD's ability to handle complex matters where evidence may be difficult to obtain and/or present at trial. The state-of-the-art technology has enabled the court to try complex cases in less time than usually allotted for these matters. The courtroom is also used for FJD employee education, training and development programs.

### ***FJD Website***

Through the First Judicial District's award winning website, the Trial Division – Civil continues to provide the Bar, businesses, pro se litigants and individual citizens with immediate on-line access to civil dockets, forms, notices to the Bar, court opinions, statistics and publications such as the Civil Electronic Filing Manual and Civil Administration-At-A-Glance. It is the FJD's goal to provide additional features and links on the web so that the public may become better informed about all civil court operations and procedures.

### **Trial Division – 2011 Civil Goals and Challenges**

- Continue to operate as a high performance court by excelling in three areas: (1) civil caseflow management; (2) treatment of participants in the legal process; and (3) management of internal operations.
- Maintain acceptable time to disposition standards in all Trial Division - Civil programs by continuing to meet the civil case disposition time standards adopted by the Conference of State Court Administrators (COSCA), the Conference of Chief Justices (CCJ), and the American Bar Association (ABA).
- Monitor and improve the Civil Electronic Filing process and procedures.
- Continue electronic filing education, training and development programs for the Civil Bar.
- Provide adequate resources and staffing for the Trial Division - Civil to meet the growing demand for the Court's services.
- Continue to educate the public about their civil courts.

***“...the Philadelphia Court of Common Pleas has all the elements of what is necessary for ongoing success in civil caseflow management – including strong and responsible judicial and administrative leadership over time, time standards and other relevant goals, use of information for regular measurement of actual performance against those standards and goals, and strong commitment of judges and court staff to continuing effectiveness in caseflow management. These elements of strength have contributed to the Court’s fine performance in all of its civil programs.”***

- The National Center for State Courts

*Please see Civil Section and other statistics beginning on page 131.*

## Family Court Division

The Family Division, as part of the First Judicial District, consists of the Juvenile Branch and the Domestic Relations Branch. Led by Administrative Judge Kevin M. Dougherty, there are twenty four judges, two courthouses, and approximately 750 employees. The Family Court has become a model court in both the Domestic Relations and Juvenile Branches by implementing widespread reforms that are both fiscally and socially responsible.

Supervising Judge Margaret T. Murphy oversees Philadelphia Family Court's Domestic Relation Branch which is responsible for cases involving child support, spousal support, custody, divorce and domestic violence. Deputy Court Administrator, Mary Lou Baker, is responsible for managing over 30 units and approximately 400 professional and support staff.

The Juvenile Branch has jurisdiction over juvenile delinquency cases, juvenile dependency cases, truancy hearings, and adoption proceedings. The Juvenile Branch is located at 1801 Vine Street, Philadelphia, PA., 19103. During 2010, the leadership of the Juvenile Branch included Deputy Court Administrators Mario D'Adamo, Esq. and Glenn Bozzacco, Esq. who manage approximately 350 employees. The Dependency Division is led by Roberta Trombetta, Esq., and the Juvenile Probation is led by James Sharp. In addition, the Juvenile Branch Fiscal Department is led by Kathy Grasela.

### Juvenile Branch

#### Overview and Organization

The Juvenile Branch consists of twelve judges who preside over delinquency and dependency matters. Five commissioned judges and four masters are assigned to dependency proceedings. Four commissioned judges, one senior judge, and two masters are assigned to delinquency proceedings. One senior judge is assigned to "B" Court, pursuant to the Pennsylvania Constitution, Article V, Section 16(q) (ii) and (r) (iii) and Philadelphia Local Criminal Division Rule 435.

In 2010, Philadelphia Family Court experienced record setting success that includes the following initiatives:

1. Developed enhanced processes for implementation and use of the Common Pleas Case Management System (CPCMS) for Dependency, Delinquency and Adoption proceedings.
2. Following Allegheny County's best practice model, the Court increased hearings for families in Dependency Court by developing 90 Day Review hearings throughout the duration of a Dependency Matter.

3. The Court decreased dependent placements by nearly 12% as our child welfare system reached an all time low of 4,334 children in out-of-home care, as compared to 4,934 children in out-of-home care at the beginning of 2010.
4. Family Court, in cooperation with the Department of Behavioral Health and the Department of Human Services, reduced out-of-state Residential Treatment Placements by 85% over the past two years.
5. Adoptions increased by 22% from those finalized in 2009, and 88% from those finalized in 2007.
6. Philadelphia Family Court diverted 30% of arrested youth, surpassing the national standard set at 26%.
7. Through delinquency court, 502 delinquent youth earned a Diploma or GED while in placement.
8. Eighty percent (80%) of youth discharged from probation completed probation supervision without a new juvenile arrest.
9. Juvenile offenders completed nearly 45,000 hours in community service projects in Philadelphia representing \$275,000 worth of necessary services to the neighborhoods of Philadelphia.
10. This year the PSU served over 900 families who came to our door seeking help a 50% increase in families receiving services in the previous year. The PSU now provides services for families involved in the Domestic Relations Branch.
11. Philadelphia Family Court's Supervised Visitation Program, the only program statewide, serves over 200 families providing parents with a safe way to visit and bond with their children.

### ***Common Pleas Case Management System (CPCMS)***

This year brought many changes and challenges to the Juvenile Branch. One of the major successes and highlights of this year was the conversion and implementation of the state-wide Common Pleas Case Management System (CPCMS). In keeping with the mandate of the Pennsylvania Supreme Court, Philadelphia County went into production on the target date of June 14, 2010. The initial process involved the conversion and migration of case data for approximately 470,000 cases, the largest migration of this type in Pennsylvania's juvenile justice/child welfare history. This represented the culmination of a great deal of planning, collaboration, training and hard work by the Administrative Office of the Pennsylvania Courts (AOPC) and the dedicated employees of the Juvenile Branch. CPCMS was being introduced by the Pennsylvania Supreme Court for the processing of dependency cases to capture court outcomes in a uniform manner throughout the State of Pennsylvania. Additionally, Administrative Judge Kevin M. Dougherty led the way statewide in the developing CPCMS for the processing of Delinquent and Adoption Matters.

The initial planning involved defining the needs of each department and developing a “GAP Analysis” to address the functionality of the CPCMS System. Working along with the Systems Evaluators and Programmers (AOPC) the process of planning and implementation began over a two year period. The Family Court Judges and staff received intensive training to implement CPCMS. By using and analyzing CPCMS in all areas of court practice in the Juvenile Branch the court developed model outcomes orders to enhance operations and ensure due process, consistency of orders, and receipt of appropriate federal and state funding. It is the hope of this Court that these model orders be replicated throughout the Commonwealth.

This change of process required the training of over 400 First Judicial District employees, the creation of an E-filing application for case initiation of both delinquent and dependent cases, and a total change in the approach of how cases are processed. A “Memoranda of Understanding” was created with the Public Defenders Association, the District Attorney’s Office, the Department of Human Services, and other outside agencies to establish rules of adherence of CPCMS case information to ensure client’s security and privacy.

### **Juvenile Probation**

The Philadelphia Juvenile Probation Department is dedicated to providing the treatment, supervision and rehabilitation needed by every child entering the juvenile justice system. In partnership with the community, the Juvenile Probation directs delinquent children toward transforming their behavior and making responsible decisions according to the principles of Balanced and Restorative Justice. The Juvenile Probation Department is located on the second floor of 1801 Vine Street. A Chief Probation Officer leads a team of (2) Deputy Chiefs (5) Deputy Directors, (30) Supervisors and (130) Probation Officers.

The department is organized as follows:

8 Geographic Based Probation Units	Community Monitoring GPS/EM Unit
Youth Study Center Intake & Diversions	Victims Services Unit
3 Residential Supervision Units	Private Criminal Complaints
Special Offenders Unit	DNA Lab
JET-Juvenile Enforcement Team	YVRP –Youth Violence Partnership
Training & Evaluation Unit	

### **Private Criminal Complaints**

Philadelphia Juvenile Probation offers the opportunity for citizens to file a private criminal complaint, in lieu of formal arrest by the Philadelphia Police Department and processing by the Philadelphia District Attorney’s Office. This program is supervised by a veteran Probation Officer. The goal is successful mediation between the parties alleviating the need for an

adjudicatory hearing. This past year, the Private Criminal Complaints Officer mediated 723 private criminal complaints.

### ***Intake Diversion Efforts***

A progressive probation department is one that is guided by research and best practices in the field of juvenile justice. In Philadelphia's Probation Department, we are extremely excited about our many diversion options and levels in addition to our diversions at Intake. We rely on the Youth Aid Panel, Consent Decree, Drug Treatment Court, Interim Probation/Deferred Adjudication, and Crossover Court as ways to keep youth from penetrating the juvenile justice system.

Once an arrest has occurred, the Court, relying on best practice research, recognized the need to divert youth from the formal delinquency process. Administrative Judge Kevin M. Dougherty working with the District Attorney's Office, diverted 869 youth offenders from the formal adjudication process in the juvenile justice system. In 2010, fifteen percent (15%) of youth arrested were diverted through these initiatives.

Additionally, efforts to reduce system penetration moved forward in the Family Court's Pre-Adjudication process. The Court, the Philadelphia District Attorneys Office, and the Philadelphia Defenders Association collaboratively worked to divert approximately 982 cases through the use of consent decrees. Our youth were given 6 months formal probation with supervision and services. In 2010, the increased use of consent decrees represented an additional 15% of Philadelphia's juveniles diverted from formal adjudication.

The Office of Juvenile Justice and Delinquency Prevention (OJJDP, 2010) reveals that in 2007, 26% of all juvenile cases, nationwide, were handled informally at intake. In 2010, Philadelphia Family Court surpassed the national standard by diverting 30% of arrested youth.

### ***Juvenile Justice System Enhancement***

In 2010, the Juvenile Justice System in Pennsylvania, in conjunction with the Pennsylvania Chief Probation Officers Council and the Juvenile Court Judges Commission, implemented three evidenced based/best practices initiatives to enhance juvenile justice alternatives:

- ***The YLS (Youth Level of Service) Risk and Needs Assessment***

The effort to incorporate a statewide assessment tool was aided by the Philadelphia's Chief Probation Officer, who as the as the Co-Chair of the Research Committee for the Pennsylvania Chief Probation Officers Council, worked with juvenile justice stakeholders on the implementation of the YLS in Pennsylvania. The YSL was implemented in the North Central Geographical Unit. Probation Officers in this unit were trained first, and thereafter,

all geographical units of probation were trained. Philadelphia Juvenile Court was among the first Probation Departments in Pennsylvania to pilot the YLS as a dispositional planning tool for judges and probation officers.

- *Case Management Single Probation Plan*

The outcomes of the YLS Risk and Needs Assessment are formulated by the Probation Officer into a comprehensive single probation plan for both the youth and family. Representatives from Philadelphia Juvenile Probation played an integral part in the development of the Single Probation Plan as part the Statewide Planning and Implementation Committee. All geographically assigned probation officers have been trained and have begun the process of creating a single plan.

- *Motivational Interviewing*

The tenants of Motivational Interviewing work from a strength-based approach. This initiative enhanced Probation Officers engagement skills as part of the interview process at Intake for the YLS Risk and Needs Assessment. The results of this evaluation aids the Probation Officer in creating specific case plans, as well as better communication and interaction with clients. The Court utilized the expertise of Ms. Barbara Ulmer, a State certified trainer, to educate the entire probation staff.

### ***Global Positioning System (GPS)***

Administrative Judge Dougherty developed a Memorandum of Understanding with the Department of Human Services to contract with Secure Alert, Inc., a Utah corporation, to implement a global positioning system for the home surveillance of juvenile offenders, in lieu of placement in the Youth Study Center or Community Based Detention. The system is also used in the Graduated Sanctions Program to reduce the number of youth placed in out-of-home care.

This past year, Juvenile Probation and GPS provider Secure Alert enhanced the technological features of the GPS system providing greater levels of youth tracking accountability and surveillance. These innovative features included improvements in the ankle band security, computer tracking models, and real time violation alerts and reporting by geographic location. As a result, the GPS system played a critical role in identifying youth involved in the “Philadelphia Flash Mob” incidents.

In 2010, the GPS-Global Positioning System serviced more than 1,600 youth on probation, nearly doubling its utilization of 820 youth serviced in 2009. Of the 1,600 youth, 75% did not need to be detained or placed in long term residential placement.

### **JCJC Juvenile Probation Statewide Case Closing Outcomes**

As part of the Juvenile Court Judges Commission Statewide Probation Outcomes Initiative, the Philadelphia Juvenile Probation recidivism rate for cases discharged without jurisdictional restraint in 2010 continued to show positive results. Of the 3,353 delinquency cases discharged in 2010, 80% successfully completed probation supervision without a new arrest.

This positive reduction in length of supervision was realized through the collaborative partnerships with judges, probation officers and attorneys by ensuring that supervision standards and court ordered stipulations were achieved in an effective and efficient manner while maintaining the principles of Restorative Justice; youth accountability, competency development and community safety. Further, in an effort to reduce placement costs, Administrative Judge Dougherty worked with the Department Of Human Services, Family Court Judges, Probation Officers, and system stakeholders in closely reviewing placement cases in an effort to reduce a youth's length of stay consistent with the average length of stay in placement Commonwealth-wide.

These efforts were further bolstered by Judge Dougherty's reorganization of the Residential Services Unit by assigning Probation Officers smaller caseloads thereby allowing probation officers to provide intensive case management. To assist the Probation Department's increased supervision of youth in placement, Judge Dougherty created a Memorandum of Understanding with Commissioner Anne Marie Ambrose of the Department of Human Services to increase funding for Probation Officers travel to placement facilities. The outcomes below, as documented by the Juvenile Court Judges Commission Annual Case Closing statistics, support this goal.

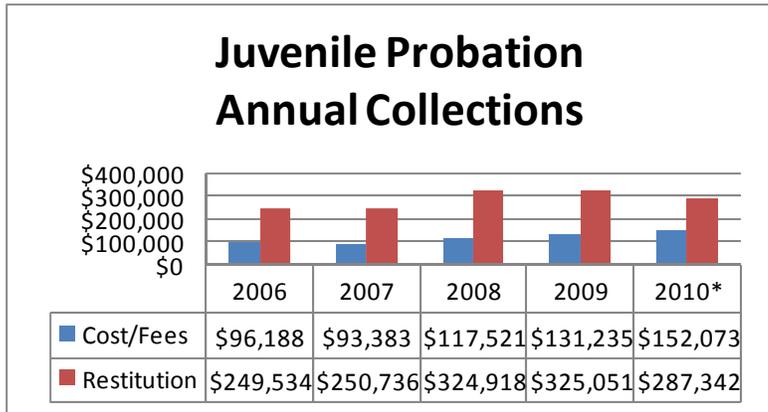
<b>CASE CLOSING OUTCOMES</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
<b>NUMBER OF CASES CLOSED</b>	<b>3,156</b>	<b>4,352</b>	<b>3,353</b>
<b>MEDIAN LENGTH OF SUPERVISION</b>	<b>18.0 MONTHS</b>	<b>16.7 MONTHS</b>	<b>14.9 MONTHS</b>
<b>AVERAGE LENGTH OF TIME IN OUT OF HOME PLACEMENT</b>	<b>11.6 MONTHS</b>	<b>11.5 MONTHS</b>	<b>11.0 MONTHS</b>

### **Balanced and Restorative Justice Outcomes**

We are proud that Philadelphia Family Court continues to be the statewide leader in restitution collection and payments to victims. In a time when communities in Philadelphia struggle with the effects of crime and poverty, youth under the supervision of the Philadelphia Family Court completed nearly 45,000 hours in community service projects in Philadelphia. These projects included murals for neighborhood beautification, revitalization of schools and recreation centers,

the aiding of the less fortunate through food bank projects, and the participation in programs like the National Night Out, Town Watch and the Martin Luther King Day of Service. Based on minimum wage scales, these hours represented over \$275,000 worth of services to the neighborhoods of Philadelphia. These were programs aided and supervised by Probation Officers, and provided the youth a sense of accomplishment by giving back to the community.

As one of the cornerstones of the Juvenile Act, the mission to make victims of juvenile crime whole remains a focus for Family Court. In 2010, the Juvenile Probation Department collected \$287,340 in restitution payments for victims of juvenile crime. The Juvenile Probation Department also collected court ordered fines and costs that were distributed to multiple agencies including the Pennsylvania Crime Victims' Compensation Fund.



In 2010, the fiscal unit processed 1,945 payments for juvenile probation collections totaling \$439,415.

The reduction in the collection of restitution from 2009 to 2010 can be correlated to the reduction in arrests involving restitution and orders for restitution, as well as the changes in the fee collection process incorporated through the implementation of the CPCMS. Funds collected through CPCMS were distributed according to the “Schedule for Standard Distribution” established by the Supreme Court.

### ***Graduated Response Court***

Under the guidance of Administrative Judge Kevin M. Dougherty, the Philadelphia Family Court and Juvenile Probation continue to operate the only Juvenile Graduated Response Court in Pennsylvania. The Juvenile Court Judges Commission Conference in Harrisburg recognized this unique Court as a benchmark for the Juvenile Justice Enhancement Initiative the State has embarked on for the future.

This graduated response process is a collaborative effort of the juvenile justice stakeholders that has developed innovative court scheduling practices, a treatment continuum matrix and operating process and procedures that target youth in noncompliance of probation standards. The development of the program was based upon the initial strategies of Judge

Dougherty to address Disproportionate Minority Contact (DMC) issues, as well as the reduction of detention and long term placement as dispositional responses in Juvenile Court.

In 2010, 76% of the youth have either successfully graduated or are currently involved in the program, and have been diverted from long term residential placement.

### ***Juvenile Gun Violence Task Force Initiative***

The Juvenile Gun Violence Task Force is a multi-agency initiative with the Philadelphia District Attorney's Office, the Philadelphia Police Department and the Pennsylvania Attorney General's Office. The goal of the collaboration is the commitment of resources to target adults who provide guns to juveniles. In developing this specialty court, Judge Dougherty, Juvenile Probation and the District Attorneys Office revised arrest and intake procedures, as well as the collection of data and criminal intelligence. To that end, all juveniles charged with guns offenses were assigned to one judge similar to the Adult Gun Court program. Rehabilitating juveniles began with capturing the names of the adult criminals who provide guns to them.

In 2010, the Juvenile Gun Violence Task Force monitored 116 juvenile cases. Of the 116, there were 11 youth who are still in the pre-trial stage. The remaining 105 were disposed as follows: Adjudications-89; Deferred Adjudications-2; Certified to Adult Court-0; Restated as an Adult-2; Transferred to the Habitual Offenders Unit- 2; Not Guilty-2; Nolle Prossed-8. Of the combined 89 adjudications, 78 youth were placed in residential placements to ensure community safety and the rehabilitation of youth. Eleven juveniles provided information to the government to cooperate with their treatment and supervision.

In October of this year, the Gun Violence Task Force reported that since it began operating in December 2006, the task force has made 504 arrests, seized 972 firearms and opened 1,545 investigations involving the illegal transfer of firearms. To that point, these task force cases have resulted in the conviction of 320 people on charges of straw purchasing and other gun trafficking offenses. Investigators have assisted Philadelphia Police in solving numerous shootings, burglaries, robberies, and homicides.

### ***Juvenile Treatment Court***

The Philadelphia Juvenile Treatment Court is a diversion alternative for juvenile arrested on narcotic offenses and is designed to engage non-violent, substance-abusing juveniles in appropriate drug treatment with the support and supervision of the presiding Treatment Court Judge and the multi-agency Treatment Court Treatment Team. The program is designed to meet the milestones of three phases. During the phases of the program, participants will return to court for review hearings usually on a bimonthly basis for a review of their progress. Incentives and rewards are conferred at the completion of each of the three treatment phases. For those who fail

to comply with rules and conditions appropriate sanctions are imposed. Juveniles who successfully complete the requirements of the Juvenile Treatment Court, graduate from the program, and remain arrest free for a period of one year after graduation have their charges expunged.

### ***Juvenile Enforcement Team (JET)***

In 2007, Administrative Judge Kevin M. Dougherty and Philadelphia Police Commissioner Charles Ramsey joined forces to address the escalating juvenile gang violence in the South Philadelphia 17th Police District. Administrative Judge Dougherty welcomed the opportunity to implement the BARJ principles of community safety by creating the Juvenile Enforcement Team (JET). Historically, Philadelphia Juvenile Probation was a case management system dedicated to the reformation of delinquent youth. The operations of JET focus on the deployment of highly skilled tactical Probation Officers into the community based on criminal intelligence, surveillance and supervision. These officers were trained and certified in Municipal, State and Federal requirements regarding the use of firearms and other weapons, and continues to receive the necessary certifications. This unit was founded on the service of two dedicated probation officers. Since its inception, the mission of JET has remained the same, namely, the confiscation of guns and drugs, the removal of violent juvenile offenders and the eradication of juvenile gangs that threaten the citizens of the 17<sup>th</sup> Police District.



In 2010, the JET team expanded to four probation officers. In the small area of the 17<sup>th</sup> Police District, these officers removed 15 handguns from juveniles and confiscated narcotics with a street value of \$50,000. An armed Probation Unit, the JET team utilizes criminal gang intelligence that dictates operational strategies to target and apprehend youth involved with guns and/ or gang violence. It was this type of intelligence-driven operations that led to the apprehension of 32 known felons and the criminal prosecution of 3 juveniles for murder in Philadelphia. The photo shown at left is an example of the guns, weapons and drugs seized by JET.

### ***Youth Violence Reduction Partnership (YVRP)***

The Youth Violence Reduction Partnership (YVRP) continues as one of the most progressive and successful cooperative efforts in Philadelphia's mission to address the most violent offenders in the Juvenile and Adult systems. The partnerships annual report indicates positive outcomes in addressing re-arrest rates and safety of the clients and community. As part of the State and Federal Blue Print for Violence Program, the YVRP initiative continues to fight the problems of guns and youth violence in Philadelphia. The Juvenile Probation Department participates in the Steering, Management and Operations Committees that include partnerships with the Philadelphia Police Department, the District Attorneys Office, and the Philadelphia Anti Drug/Anti Violence Network (PAAN). The agency partners work together to provide supervision, surveillance and competency development to some of the most at-risk youth in the Juvenile and Adult system.

### ***Operation Pressure Point***

Since 2009, the Philadelphia Police Department invited the Juvenile Probation Department to team with local, state and federal law enforcement agencies (FBI, ATF, US Marshal's Office, DEA, PA State Police, and FJD Warrant Unit) in an effort known as "Operation Pressure Point" to apprehend the most serious offenders in the 12 most violent police districts throughout Philadelphia. Considering the success of JET in the 17<sup>th</sup> Police District, JET accepted the offer to apply the Balanced and Restorative principle of community safety to the most serious juvenile offenders. The need to assure community safety caused the Administrative Judge to include the YVRP Unit in this operation. These seasoned probation officers were also permitted to be trained and certified to carry firearms.

In 2010, Juvenile Probation as part of "Operation Pressure Point (OPP)" served over 300 juvenile warrants from April to November with a better than 35% apprehension rate. The targeted youth were those with an existing juvenile bench warrant who had been adjudicated for felony crimes, placement absconders, and youth identified in gang activity. These efforts accounted for the apprehension of more than 85 fugitives, the confiscation of 4 hand guns, 50 packets of heroin, 14 bags of marijuana, 15 packets of crack, and \$16,000 in amphetamines.

### ***Bench Warrant Operations***

At times, change is demanded by circumstance. In Philadelphia, a highly publized tragedy involving a former juvenile offender caused Administrative Judge Dougherty to reconsider the policy regarding retrieving juveniles on bench warrants. After consultation with the Philadelphia Police Department and with the success of Operation Pressure Point (OPP), the YVRP Unit of Probation was directed to retrieve those serious juvenile offenders with an existing bench warrant. Juvenile Probation's participation in OPP paved the way for the expanded bench

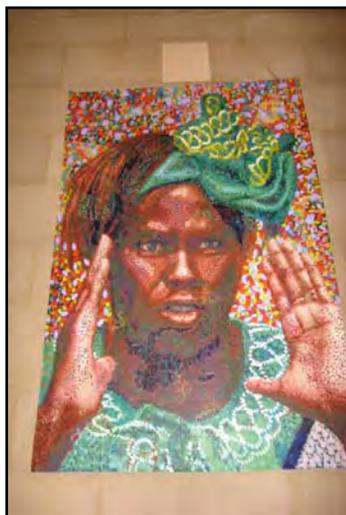
warrant operation throughout the City of Philadelphia. Unlike the JET Unit, the YVRP Unit also provides case management services to youth under its supervision. These expanded bench warrant partnerships contributed to reducing the number of active adjudicated delinquent/juvenile bench warrants from 700 to 525, a 30% reduction in one year, and in the past two years a total reduction of 60%.

### ***Pennsylvania Academic Career and Technical Trades Alliance – PACTT***

In an effort to increase the academic performance and vocational training of youth placed in residential facilities, the Pennsylvania Council of Chief Juvenile Probation Officers and Juvenile Court Judges Commission approached the Honorable Kevin M. Dougherty of Philadelphia and the Honorable Kimberly Clark of Allegheny County to support and facilitate the PACTT Alliance.

The mission was to reform the academic curriculum in the residential programs that enabled youth to earn transferable school credits for their eventual transition back into their home school districts. The PACTT project also worked with Dr. Clyde Hansberger from the Lehigh Valley Technical Institute to coordinate with eight of the largest placement facilities in Pennsylvania to develop and implement certificate-bearing vocational programs like OSHA-10, Safe Serv, Microsoft Office Specialist and CPR. The youth exited the placement facilities with a portfolio of school and vocational certificates, records and awards that aided in the transitional employment opportunities made available through local Workforce Investment Boards and regional companies. It is from these business relationships that PACTT has leveraged more than 300 paid student jobs. The Alliance created an Employment and Soft Skills Training Manual that is used by both residential and community base providers in Philadelphia and Pittsburgh.

In 2010, more than 2000 youth returned from placement facilities in Philadelphia with 502 earning a Diploma or GED while in placement. In the area of vocational development, these 8 residential facilities have implemented a combined 40 certificate-bearing programs since the project inception in 2008.



### ***Mural Arts in Probation Art Court***

In the quest to develop competencies, it became apparent to Administrative Judge Dougherty that many of the children were interested in the Arts. However, the developed programs catered to the need for redirection of behavior and not a celebration of the talents of the youth. Therefore, in 2008, Administrative Judge Kevin M. Dougherty and Mural Arts Executive Director Jane Golden established the first “Art Court” program. This initiative

provided opportunities for youth under the supervision of the court, to work with artists in the communities and at Family Court to create murals, like the one pictured above on topics and people that impacted their lives. In 2010, 40 youth participated in Art Court and in the process completed more than 450 hours of community service. These murals adorn the walls of Family Court.

### ***National Crossover Youth Practice Model***

In 2003, the Administrative Judge, then Supervising Judge, became concerned the two branches of juvenile court, delinquency and dependency, were isolated silos and did not communicate despite the shared population of children. In a bold move, Judge Dougherty's efforts removed the invisible barrier between the two branches. A streamlined process for those charged with a delinquent offense, and faced with the restrictions of delinquent rules and law, could now benefit from entrance into the dependency system. Thus the birth of "Crossover Court" in Philadelphia. Delinquent matters, subject to the demands of community safety, were directed to Judge Dougherty. The newly created process forced the system partners to collaborate and create policies. In essence, upon the admission of a delinquent petition, a dependent petition was generated and the implementation of prevention services and child welfare services were concurrently applied at disposition of the delinquent matter.

Due to these efforts, Philadelphia Family Court was selected by Georgetown University as a model site for its work on the Delinquent/Dependent Crossover Court. This initiative supported by the Casey Family Programs and the Center for Juvenile Justice Reform at the Georgetown University Public Policy Institute (CJJR), partnered with the Courts and DHS to address the unique issues presented by youth who are known to both the child welfare and juvenile justice systems. This ongoing project looks to assist the stakeholders in refining the current policies and operating procedures of Philadelphia Crossover Court. As a complimentary project to the Crossover Youth Model, the Department of Public Welfare initiated the Shared Case Responsibility bulletin for implementation in 2011. This project brings together Probation Officers and DHS Case Managers for joint assessments, planning, case management and supervision of youth who are dually adjudicated in both the dependent and delinquent court to ensure the needs of identified youth from case inception to discharge. The Court and DHS will fully implement the Shared Case Responsibility project well in advance of the mandated implementation date of October 2011.

### ***Case Management and Probation Officer Supervision Accountability***

The Philadelphia Juvenile Probation Department typically supervises over 5,000 cases at any one time. In 2010, Probation Officers averaged over 7,800 successful face to face client contacts per month, which, over the course of the year totaled more than 93,000 documented successful face to face contacts. These levels of supervision contacts allow for greater engagement between the

juveniles and their Probation Officers as they strive to meet the standards for youth accountability and competency development as outlined in the tenants of Balanced and Restorative Justice.

It was these intensive supervision practices that assisted the Probation Department in reducing the length of time a youth remains on probation from 16.7 months to 14.9 months, a modest yet successful outcome considering the number of youth under court supervision. In 2010, the initiative boasted a successful recidivism-reduction rate of 80%.

### ***Training and Evaluation Unit***

The Training and Evaluation Unit oversaw the instruction of more than 9,000 hours of training to Probation Officers in 2010. The goals for training this year focused on attaining the knowledge and skills to implement the evidenced- based practice of the YLS Risk and Needs Assessment, the use of the Single Probation Plan, and the youth engagement strategies that are the foundation of Motivational Interviewing.

The Unit continued its role in the Random Moment in Time Study that provides a viable funding source of Administrative Claiming through the Tile IV-E process. The Units evaluation role was expanded with the data collection of program outcomes, like Functional Family Therapy and the State Reintegration Program. The Unit was also instrumental in the initial and ongoing training of the CPCMS system that was integrated into Court operations in the past year.

Additionally, the Training and Evaluation Unit developed Individualized Probation Training Modules to assist new and experienced Probation Officers in new skills development. The emphasis of these training modules is to focus on specific areas of case management and supervision duties leading to greater success in job performance and satisfaction.

The Probation Training and Evaluation Unit have established a College Intern Program with local and state universities including Temple, University of Pennsylvania, Penn State University, and Drexel University. These probation interns gain experience in areas of case management, youth engagement strategies, courtroom procedures, the Pennsylvania Juvenile Act, and youth rehabilitation practices. At the conclusion of the internships the students earn credits towards their graduation. The College Intern Program accepted 25 college seniors to participate in the Intern Program in 2010. Lastly, the Unit also is the driving force behind the “Juvenile Express”, a quarterly Court publication that features the good work of dedicated employees of the Philadelphia Family Court.

## **Office of Children, Youth and Families**

Philadelphia Family Court's Office of Children, Youth and Families' mission is to create and maintain best practice standards and operations that ensure the protection, safety and stability of all Philadelphia children, youth, and families who enter the dependency system. The Office includes the oversight of the following:

Dependent/Delinquent Court Operations	Behavioral Health and Clinical Evaluation Units
Substance Analysis Unit	School District of Philadelphia Help Desk,
Project START Truancy Initiative	Court Appointed Attorney System
Prevention Services Unit	State of PA Needs Based Budgeting Process
Accelerated Adoption Court	Domestic Relations Collaborative Initiatives
Document/Record Management	DHS Initiatives, Supervised Visitation Program
Older Youth Initiative	

### ***Philadelphia Roundtable***

This year, Philadelphia Family Court joined forces with the Administrative Office of Pennsylvania Courts' (AOPC) Office of Children and Families in the Courts (OCFC) to enhance permanency for court-involved children. The Court focused its efforts on designing initiatives that would help to decrease out- of- home care for dependent children.

To begin the journey, the Court established the Philadelphia Roundtable. Modeled after the Roundtables created across the state by the AOPC's OCFC, the Philadelphia Roundtable is comprised of top leadership of all children and family serving systems including the Department of Human Services, the Department of Behavioral Health, the School District of Philadelphia, the Support Center for Child Advocates, the Child Advocacy Unit of the Philadelphia Defender's Office, the Philadelphia City Solicitor's Office, Community Legal Services, as well as members from our human service provider community, hospitals, and universities. The Dependency Judges, under the direction of the Honorable Kevin M. Dougherty, Administrative Judge, worked hard at meeting these goals by making sure that every effort was made to move a child to permanency. The Roundtable met monthly and focused its attention on the work of several subcommittees. The subcommittees focused on the improvement of the following areas of concern: Implementing 90 Day Review Hearings, Increasing Adoptions, APPLA (Another Permanency Placement Alternative) and Older Youth Reform, and Strengthening Legal Representation. Each subcommittee was chaired by a Family Court Judge who established the committee's charge. Listed below are some of our accomplishments.

### ***Implementing 90 Day Review Hearings***

Following national best practice standards, and after observing the Allegheny County model of dependency reviews, Administrative Judge Dougherty directed a subcommittee of the

Philadelphia Roundtable to create a process beginning in April of 2010. This afforded the Court the opportunity to hear a dependency review every 90 days as opposed to the five month date given previous to the initiatives inception. The subcommittee, chaired by Judge Alice Dubow, realized that to effectuate this process a Judge should be connected “one-on-one” to a Master presiding over that Judge’s case. Taking that suggestion, the Court restructured its scheduling process and assigned one Master to each of three main dependency Judges. The Judge and Master team meet regularly to discuss the progress and direction of cases. The Master, now with a clear understanding of the Judge’s orders, was able to ensure at the first 90-day review of the case that such orders were followed and families were receiving timely and appropriate services. Recognizing the importance of this initiative’s ability to enhance permanency for children, the Court designated and staffed a new Courtroom to achieve the purpose of implementing the 90-day review for every newly adjudicated child and his/her family. This initiative was performed with no additional funding or cost to the court.

### ***Increasing Adoptions***

After carefully studying the adoption process, the Court felt it necessary to create a committee and charge this committee with finding ways to enhance permanency by increasing adoptions. With a new Court driven directive that all adoption petitions be given a hearing date upon filing, the committee worked to resolve issues focused on removing barriers such as timely development and submission of family profiles, streamlined processes for Motions to Intervene by non pre-adoptive resources, and resolution and clarification of interstate compact rules and regulations. In 2010, adoption finalizations increased by 22% and 88% from those finalized in 2007.

### ***Looking at APPLA and Older Youth Reform***

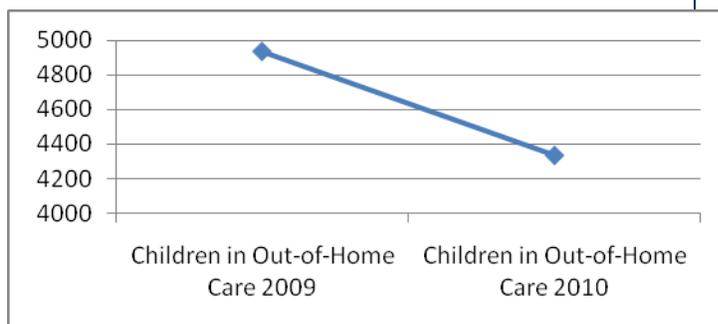
This committee was charged by the Court to identify ways to decrease the use of APPLA as a permanency option unless and until all other permanency option had been exhausted. Through its work the committee created a process wherein children who appeared to be moving on the track to an APPLA finding were provided with the evidenced-based practices of Family Finding and/or Family Group Decision Making. The committee’s goal was to ensure that every child leave the formal child welfare system with at least one identified resource. The work of this committee helped the Court in being selected as an AOPC’s prestigious Pennsylvania Permanency Initiative Phase III County which will receive funding support from the Supreme Court of Pennsylvania to provide our older youth in care with continued evidenced-based services such as Family Finding, Family Group Decision Making, Grief and Loss Counseling, and Family Development Credentialing to ensure permanent and stable human connections upon their departure from dependent care.

## **Strengthening Legal Representation**

In keeping with its goal to decrease out-of-home care for Philadelphia’s children, the court created a committee to address ways to enhance legal representation. During the year, the court worked with its stakeholders to provide five Continuing Legal Education courses to all court appointed lawyers. The following CLEs were presented at little cost to over 150 attorneys:

1. Representing Clients in Dependency Matters (1 CLE)
2. Representing Incarcerated Parents (1 CLE)
3. Working with Challenging Clients (1 CLE)
4. Back to School Part 1: Addressing the Educational Issues of Children (2 CLEs)
5. Back to School Part 2: Addressing the Educational Issues of Children (2 CLEs)

With continued momentum, motivation and commitment to enhancing permanency, the court is proud to report that as of December 31, 2010, dependent placements significantly dropped by nearly 12% as the child welfare system reached an all time low of 4,334 children in out-of-home care, as compared to 4,934 children in out of home care at the beginning of 2010.

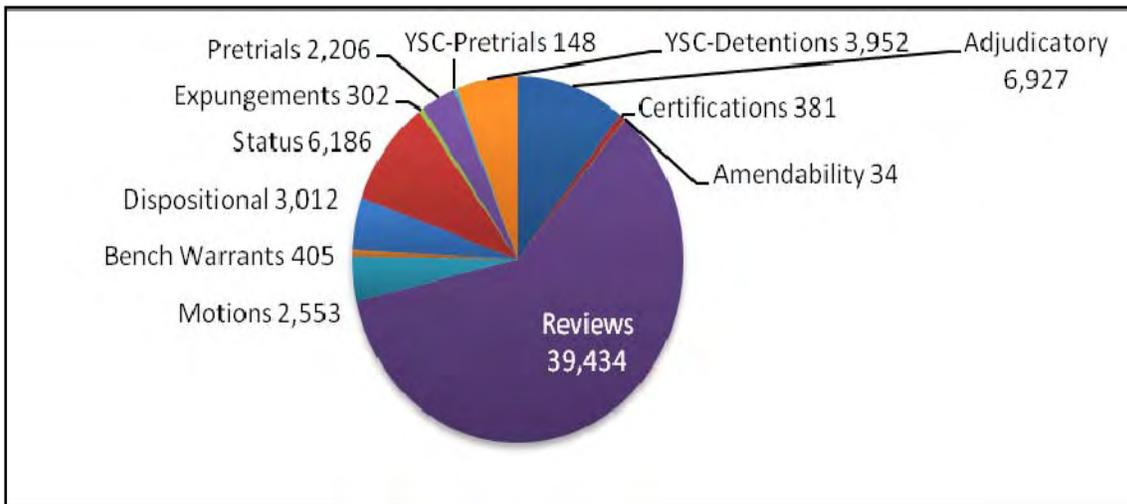


## **Dependent and Delinquent Court Operations**

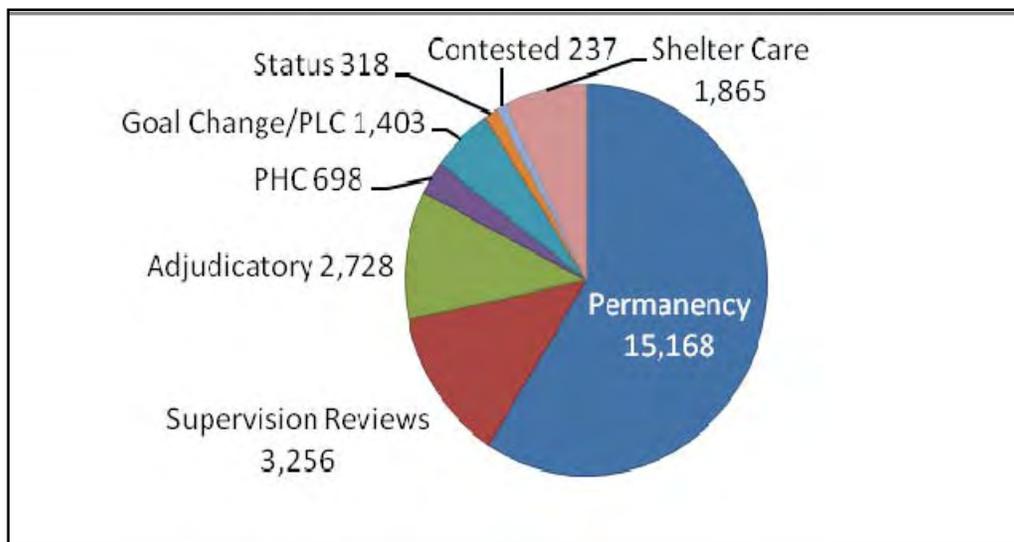
The Dependent and Delinquent Court Operations Unit (DDCO) is the “heart” of courtroom operations. This year, two units were combined under single leadership to begin the process of cross-system training. The DDCO Unit consists of Dependent Court Representatives and Delinquent Court Clerks. The Dependent Court Representatives staff seven dependency courtrooms performing the task of creating and docketing orders of the Court, as well as scheduling all hearings. The Delinquent Court Clerks are responsible for the docketing and scheduling of every delinquent hearing in nine courtrooms.

***The DDCO unit led the way to full CPCMS implementation and serve as the Court’s resident experts. Spending days and months in formal and on-the-job training, the DDCO staff ensured the stability of courtroom listings while implementing a completely new way of doing business at Family Court. Despite all of the “learning bumps,” the Dependent and Delinquent Court Operations Unit supported the Court in hearing 91,302 matters including 65,540 juvenile***

*delinquency matters and 25,762 dependent T matters. The charts below further breakdown the hearings by type.*



**Delinquency**



**Dependency**

Additionally, Family Court was instrumental in bringing children placed in residential treatment centers outside the State of Pennsylvania back home. In January, 2009, 125 children were placed in out of state centers. By the end of that year, only 55 children still remained in out of state centers. By the close of the year, December 2010, only 23 children were still placed in residential treatment centers outside the State of Pennsylvania, representing an 85% decrease.

### ***Project START Truancy Initiative***

The Pennsylvania School Code defines habitual truancy as amassing three or more unexcused absences. Approximately one-third of Philadelphia public school students are chronically truant each year with more than ten unexcused absences in a school year. Roughly 20% of these children are kindergarten through third graders. However, the large majority of these chronically truant students amass far more than ten unexcused absences missing more than 80% of the school year.

Historically, the School District of Philadelphia (SDP) filed truancy petitions in Family Court for compulsory school age students reaching the level of chronic truancy. This threshold has varied from year to year, generally ranging from 8-10 unexcused absences in a school year. In 1997, the Philadelphia Family Court brought truancy proceedings into the schools with the establishment of regional truancy courts. Masters heard cases at the regional level where students and families progressed from regional review hearings to Family Court proceedings at 1801 Vine Street if the truancy persisted. Community service and other orders were entered against the student and family, as appropriate. Success at the regional level yielded a relatively small number of students and families who progressed to 1801 Vine Street's "K Court" where a Judge presided over truancy cases and made the determination whether a dependent placement was warranted. DHS has traditionally provided community-based truancy case management services to cases involved in truancy court. The services were designed to work with students and families to identify and remove barriers to regular school attendance. These three systems alone – the School District of Philadelphia, Philadelphia Family Court, and Department of Human Services expended more than \$15 million annually on truancy reduction efforts.

In 2010, Philadelphia Family confronted the severity of truancy in Philadelphia and called our stakeholders to action. The Court created a new truancy referral process that demanded system-wide accountability to treat issues stemming from chronic absenteeism. Leading the way to reform the Court:

- Created a new Truancy Court process to increase accountability of school and community based interventions by developing, in partnership with the Philadelphia School district, a "truancy intervention" checklist that needs to be completed by school staff prior to referring a family to Court. The checklist ensures that school based interventions such as the CSAP process is completed and Truancy Elimination plans are developed for families and students.
- Implemented system-wide use of trained attorneys as Hearing Officers over all 8 regional truancy courts.
- Initiation of "quick response" process by hearing students' truancy matters every 30 days.

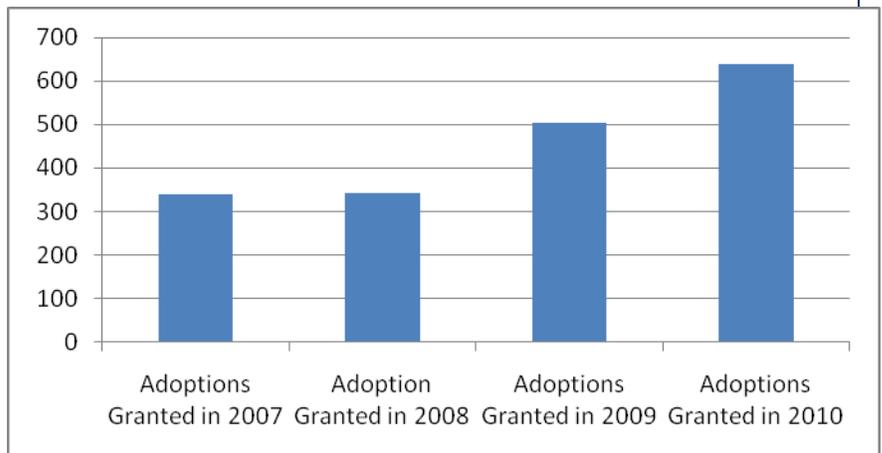
- Differentiated interventions by age through early intervention and intensive supports that meet the specific needs of the family.

The 2010/2011 school year will be a critical year for the students and families of Philadelphia. The Court’s truancy plan touches every corner and stakeholder in the city. Based on research and experience, the Court believes that the implementation of this plan will dramatically reduce the problem of truancy in this great city, making way for new efforts and interventions to reach our most vulnerable students. In partnership with the City’s new Policy and Analysis Center, the Court will evaluate our efforts.

***Accelerated Adoption Court***

The Accelerated Adoption Review Court (AARC) is a specialized post-permanency review courtroom that is focused on achieving permanency through finalizing adoptions in a timely manner. The goals of the AARC are to expedite adoptions and reduce the length of time children spend in foster care, consistent with the requirements of the federal Adoption and Safe Families Act (ASFA) of 1997.

In 2010, Adoptions increased by 22% from those finalized in 2009. Most significant is the astonishing growth in adoptions during Judge Dougherty’s tenure, as there has been an 88% increase since 2007.



***Project PENN***

The Field Center for Children’s Policy, Practice & Research conducted a research study, completed in 2005, that examined the experiences and needs of families awaiting dependency proceedings in Philadelphia Family Court at 1801 Vine Street. Among the findings were that families were spending extensive amounts of time in the Philadelphia Family Court waiting room, with the majority (63%) waiting at least 2 hours in the waiting room before being called into the courtroom to see the judge. Project PENN was designed to take advantage of the time that parents are waiting at the courthouse by helping them access some of the many concrete services that they need, those that frequently cause stress and disruption in families and place children at risk for harm.

After several years of planning and funded through an endowment gift establishing the Nancy Glickenhau Family Court Program, Project PENN was launched at Philadelphia Family Court in October of 2009 to address some of the findings in this study. Under the supervision of Field Center staff, University of Pennsylvania second-year Master of Social Work (MSW) students provide onsite staffing of Project PENN. Starting with one morning per week in its pilot year, Project PENN staff approached families in the large multi-courtroom waiting room (serving courtrooms E, F, G, H, and J), offering to assist them in obtaining needed services. Philadelphia Family Court generously donated office space with phone and internet access on site so project staff could have private conversations with parents while offering them immediate assistance and referrals; appointments with community agencies could be scheduled while the family was still at the courthouse.

Prior research found that 29% of families awaiting court hearings lacked information about social services such as housing, employment and financial assistance and 39% did not know what services were available to them. Project PENN developed an extensive 80-page resource directory with information on the various concrete services that families need, including emergency and long-term housing, food assistance, health care, employment, and utility resources. A hard copy of the directory and handouts on various resources were made available for client use. Additionally, applications for CHIP (Children's Health Insurance Program) were provided and families were offered assistance in completing these complex applications while they were waiting for their cases to be called.

Although families awaiting dependency proceedings have a multitude of needs, Project PENN is designed to focus specifically on referrals for concrete services as it hoped that, if provided with assistance in this area, the family's DHS caseworker could focus on helping the family access therapeutic services that address issues of child protection. Additionally, Project PENN is designed as a voluntary program and only available to families while they are at the courthouse so compliance with services cannot be monitored.

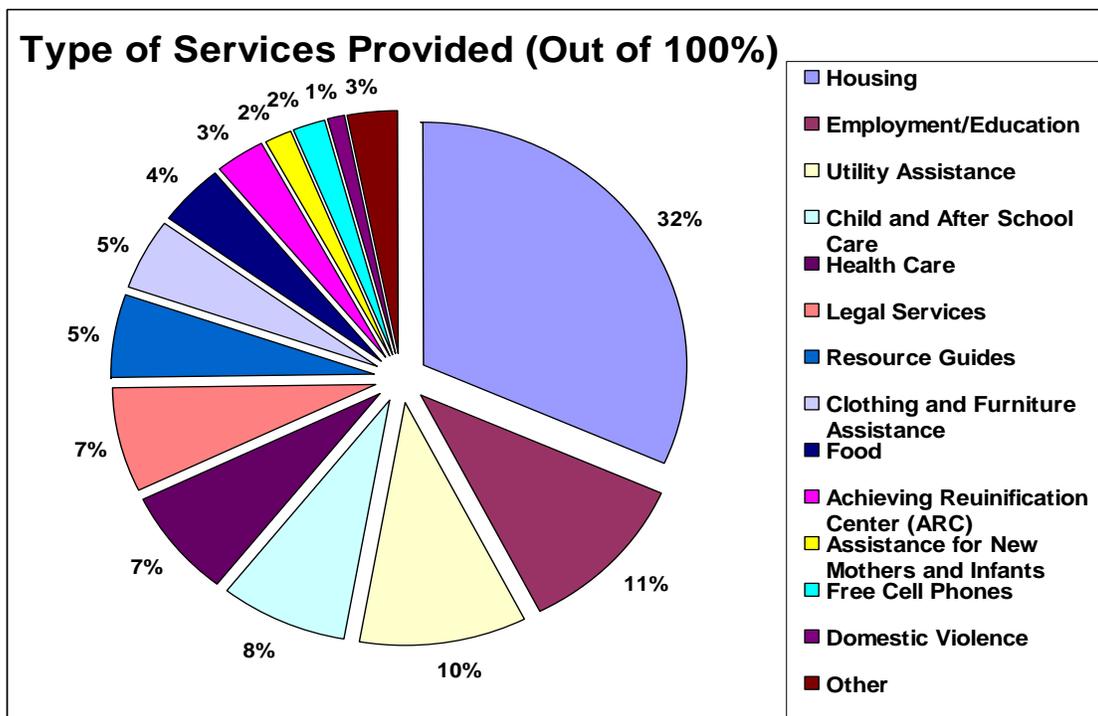
During the program's first year, Project PENN was operational on Monday mornings on an academic calendar, from 9:00 am until noon. Between 12 and 15 families and/or professionals availed themselves of services during each session. In order to engage families, Project PENN staff approached adults in the waiting room, informed them about the program and inquired if there are services or needs with which Project PENN might help. Families were able to see what services are available through the Project PENN resource directory and then choose whether or not they would like some assistance from the program. Families were offered the opportunity to speak privately in the Project PENN office; being respectful of families was modeled throughout the program. Previous Field Center research found that 52% of individuals interviewed were somewhat bothered or very bothered by the presence of the other people while discussing their

case in the waiting room. If families chose to meet in the program office, the court crier was notified of their whereabouts so they did not miss hearing their case called.

Each family that was seen by Project PENN had unique needs. On a given day, information and referrals were provided for services such as housing (emergency shelter, specialized shelter, transitional, and long-term), legal services, new mother services through the Maternity Care Coalition, health care, utility assistance, access to free cell phones, employment and job training, reunification services through the Achieving Reunification Center, and access to individual attorney contact information. The following are examples of some experiences during the program’s first year.

Project PENN experienced significant service utilization in its first year. A total of 129, or 55% of families that were approached and offered services through Project PENN accepted and received service. Of those who received services, 88% were families awaiting court hearings. A full 58% of families that were offered services accepted and received services through Project PENN. This was a higher engagement and utilization rate than anticipated. Four families requested assistance from Project PENN a second time when at the courthouse for a subsequent hearing.

Housing assistance was by far the most frequently requested service, with 53% of families requesting help with securing some form of housing. Employment and education (23%) and utility assistance (22%) were the next most requested services. Child and after-school care (17%), health care (16%), and legal assistance (15%) followed closely behind.



### ***Prevention Services Unit***

In 2010, the Prevention Services Unit (PSU) at Family Court expanded services to its clients by collaborating with the Philadelphia Department of Human Services' Community Based Prevention Services (CBPS). Community Based Prevention Services is the arm of the Department that seeks to prevent families from entering the more formal government systems of dependency and delinquency. By utilizing approximately \$60 million dollars of state and local funds, CBPS contracts with private and non-profit providers to provide services to at-risk families. By joining forces with CBPS, the PSU grew from being able to offer our families services from six providers to now offering families the opportunity to receive hundreds of free voluntary services including parenting, case management, family group decision making, functional family therapy, drug and alcohol abuse services, mental health services, mentoring, and other specifically designed therapeutic services.

Being fully staffed and funded by DHS, the Court was afforded the opportunity to move eight probation officers back into the probation department. The PSU also expanded the population to which services were delivered. While in the past, the unit served families within a certain age range, in 2010, through information sharing and communication, the PSU began providing services to families of younger children and families already involved in the various branches of family court. The PSU, now, provides services for families involved in the Domestic Relations Branch of the court. These families are often provided with referrals for family counseling or parenting education and support in an effort to help ameliorate the circumstances that brought the family to the Court's attention. In addition, families involved in Truancy Court are often times referred to the PSU for assistance in locating more specific substantive services. By expanding the types of services offered and the population of families being served, the PSU fulfilled its mission to keep families intact. This year the PSU served over 900 families who came to our door seeking help. This is a 60% increase in families receiving services in the previous year.

### ***Supervised Visitation Program***

Philadelphia Family Court is the only courthouse in Pennsylvania providing supervised-visitation on location. This program was created to ensure a safe and healthy supervised environment for the families who are currently involved in Domestic Relations Court and Dependency Court. Each Sunday, parents who otherwise would be prohibited from spending time with their children for safety reasons are able to visit and spend quality time with their children, establish positive parenting skills, and develop healthy relationships.

At present, Philadelphia Family Court Supervised Visitation Program serves over 200 families and is supported by the Philadelphia Sheriff's Office for security during visitation. Under the leadership of Roberta Trombetta, new processes and policies for attendance led to effective and efficient management and thereby achieved a consistent safe and healthy environment for all

families. Realizing the therapeutic needs of our families, the Court secured funding through the Department of Human Services to provide art and music based therapy during each session to the family. In addition, through our partnership with the Court's Prevention Services Unit, Domestic Relations Judges were given the opportunity to provide these families with individual counseling during supervised visitation, a change that we hope can be the catalyst to eliminate the need for supervised visitation for some families.

### ***Behavioral Health and Clinical Evaluation Units***

In 2010, the Court, working in collaboration with the Philadelphia Department of Behavioral Health (DBH), enhanced clinical services by transitioning the management of all clinical services to DBH. In this transition, the Court secured funded staff positions from DBH and realigned all clinical services under one unit within the Courthouse. This transition supported Judge Dougherty's mission of creating a "one-stop shop" for families who are at risk, overwhelmed and unable to navigate multiple government systems.

### ***Substance Analysis Unit***

Renamed the Substance Analysis Unit this year, the department responsible for court ordered drug and alcohol lab testing, performed tests on approximately 23,000 youth and adults involved in all three branches of Family Court including Delinquent, Dependent, and Domestic Relations.

### ***Philadelphia School District Support Center***

Since moving into the swing space at Family Court in 2009, the Family Support Center has been more successful than ever in achieving its goals of providing IEPs, obtaining correct school attendance records, and reintegration into public education from placement. With a staff of four individuals, the Support Center has worked with over 650 families since July 2010. It has developed strong relationships with the Judges, Court Staff, DHS, Office of Probation, and Residential Facilities to provide current educational information for the bench in a timely manner.

Several new initiatives have been put in place since July 2010. The first would be the "transcript process" which has been initiated with the Office of Juvenile Probation. The Support Center receives from the Probation Officers a list of juveniles who are being committed and they expeditiously transmit all of the student records to the residential facilities prior to the student's arrival. The Support Center also staffs a Full Time Transitional Liaison whose main function is to assist all dependent students returning from placement back into schools.

### ***CASA Philadelphia Program***

CASA of Philadelphia County renewed its charter with National CASA in 2006. Wendy Aguirre, Executive Director, collaborated with Administrative Judge Dougherty to 1) create CASA's Memorandum of Understanding with Family Court and 2) develop CASA's Court Report. With Judge Dougherty's support, CASA was well received by the judges who assigned them to dependent children represented by attorneys of the private bar.

### ***CASA Philadelphia Program Statistics***

<b>FISCAL YEAR</b>	<b># OF CHILDREN SERVED</b>	<b># OF TRAINED VOLUNTEERS</b>
2006	6	3
2007	59	31
2008	80	45
2009	130	74
2010	177	110

### ***CASA Philadelphia Highlights of Fiscal Year 2010***

- CASA Supervisors obtained current immunization records for all child clients and consulted with Board member, pediatrician Isa Lopez-Thibault, M.D., who reviewed each record to identify non-compliance with immunization schedule, concerns, etc.
- CASA hired an Associate Director focused on development and fundraising efforts.
- CASA continued to develop its relationship with Family Court by participating in workgroups designed to address on-going dependency court issues, i.e., Strengthening Legal Representation, Court Improvement Project and the Philadelphia's Children Roundtable.
- CASA enhanced relationships with the child welfare community, including Family Court judges, foster care agencies, pro-bono attorneys' working as Child Advocates and other advocates in the system by demonstrating its commitment to the children it serves through timely court reports, attendance at court hearings and advocacy efforts.
- CASA strengthened its partnership with the Department of Human Services (DHS) by identifying accomplishments, addressing on-going needs and securing additional funding to support the increased caseload.
- CASA held its Forgotten Children Campaign at One Liberty Place the week of May 17, 2010 to raise awareness about foster care awareness month and received a formal proclamation from Mayor Nutter.
- CASA received profits from the Montgomery County Rotary Clubs Fashion Show, as one of four non-profits in the Philadelphia area serving vulnerable children.

- CASA received a 2010 National CASA Program Expansion grant to support organization growth.
- CASA achieved 100% compliance on its first annual evaluation by the Philadelphia Department of Human Services.
- CASA attained full compliance with National CASA Standards of Excellence.

## **Administrative Services**

### ***Fiscal Unit***

The Fiscal Unit, under the direction of Kathy Grasela, is designated as the financial support service to the Juvenile Probation Department. With the implementation of CPCMS in 2010, the Fiscal Unit has undergone some responsibility changes. The current services provided include:

- Collects and processes fines, fees, and restitution ordered by the Court
- Establishes and verifies assessment balances
- Reconciles and deposits daily receipts
- Works cooperatively with the Clerk of Courts, Accounting Unit to ensure the distribution and disbursement of Juvenile collections
- Provides CPCMS juvenile probation financial customer service regarding assessments to youth
- Accounts for Juvenile Probation "Victim Fund"
- Provides reports on the restitution and fines collected by Probation

### ***Clerk of Courts Office (1801) Renovations***

In 2010, the Pennsylvania Supreme Court ordered the smooth transition of power from the Philadelphia Quarter Session Office to the First Judicial District. The office was renamed the Clerk of Courts. As a result of the assumption of duties and responsibilities by the Court, Administrative Judge Dougherty caused the office located at 1801 Vine Street to be renovated to more effectively utilize the space and optimize work flow. The office was redesigned and fitted with new work stations, computers and record storage areas. This joint venture between Family Court Administration and the Clerk of Courts Administration has resulted in an efficient professional environment for staff and the public.

### ***Courtroom Technology***

In 2010, juvenile courtrooms were adapted with new computers and printers to meet the demands of delinquent and dependent case processing through CPCMS and JACS.

### ***Closed Circuit Television in Court***

In 2010, Administrative Judge Dougherty sought to alleviate the intimidation of child victims/witnesses while assuring an accused the right to confrontation. Through the support of the District Attorney, Women Organized against Rape, and funding provided by the Connolly Foundation, two courtrooms were equipped with closed circuit televisions. This technology is utilized, primarily, when the child is unable to testify before the defendant. Now, counsel, the judge and victim/witness are situated in the judicial robing room adjacent to the courtroom while the accused remains seated at defense counsel table. The accused can now observe, listen and participates in his defense while the child testifies

### ***Computer Training Center***

In 2010, a Juvenile Division computer training center was set-up in Room 223. The training center allows for individual and group training seminars to be facilitated on site. The training center was utilized through-out the CPCMS conversion process for hands-on training of staff and continues to be used to enhance staff skills in system application and case processing.

### ***Security Enhancements***

Seventeen (17) new video cameras along with a new metal detector were installed to improve courthouse security. During calendar year 2010 a total of 429 incidents were reported of which eleven (11) were PAJIRS reports.

### ***Needs-Based Plan and Budgeting Process***

Article VII of the Public Welfare Code, 62 PS §701 et.seq provides that the Philadelphia Department of Human Services (DHS) and the State Department of Public Welfare (DPW) share joint responsibility of for financial support of county-administered social services programs for children and youth involved in the child welfare and juvenile justice systems. Act 30 of 1991, which is part of Article VII, mandates an annual process. The Department of Public Welfare controls the funding to support these services. Philadelphia's child welfare and juvenile justice programs, as defined by DHS, are created and funded consistent with approved Needs-Based plans and budgets. The annual plan and budget submission to DPW require the approval of the Chief Juvenile Probation Officer and the Family Court Division Administrative Judge.

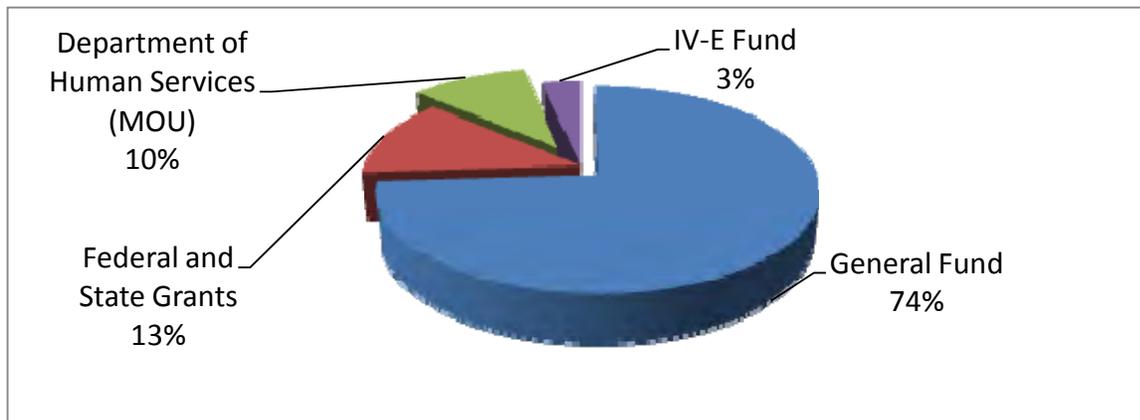
Historically, Administrative Judges permitted the Commissioner of DHS and the DHS management team to develop the annual plan and budget independently without court intervention. Administrative Judge Dougherty has integrated the court leadership into the budgeting process and works closely with DHS in its preparation and development.

In 2010, the leadership teams of Family Court and DHS met regularly to review the receipt and expenditure of funding and its application toward the enhancement of existing programs and the development of new programs. New and ongoing initiatives including , the YLS Assessment, the creation of new Evening Reporting Centers targeting juvenile probation violators, and the expansion of Functional Family Therapy, which has serviced more than 1,800 delinquent youth and families since its implementation in 2008.

### ***Juvenile Probation Grant***

In fiscal year 2010, Juvenile staff joined with court administrators to secure American Recovery and Reinvestment Act- Local Byrne (JAG) grant funding to retain fourteen (14) probation officers who have allowed the probation department to continue essential supervision along with preserving community safety.

### ***Fiscal Year 2010 Juvenile Funding Sources***



## **Domestic Relations Branch**

### **Overview and Organization**

Under the leadership of Administrative Judge Kevin M. Dougherty and Supervising Judge Margaret T. Murphy, twelve judges of the Court of Common Pleas preside in Philadelphia Family Court's Domestic Relation Division, which is responsible for cases involving child support, spousal support, custody, divorce and domestic violence. Deputy Court Administrator, Mary Lou Baker, is responsible for managing over 30 units and approximately 400 professional and support staff.

### **Mission Statement**

The Domestic Relations Division of the First Judicial District (FJD) of Pennsylvania's mission is to efficiently administer cases involving paternity establishment, child and spousal support, divorce, child custody and domestic violence. The Domestic Relations Division utilizes state of the art case management techniques that enhance timely case processing, increase performance measures, collect child support, establish paternity and secure medical support for children. Most importantly the Domestic Relations Division is devoted to bringing justice to the public it serves.

### **Responsibilities**

The Domestic Relations Division has varied responsibilities in responding to complaints and petitions that can be broadly categorized under: Divorce, Child Custody, Domestic Violence and Child and Spousal Support.

### ***Divorce***

The Domestic Relations Division has jurisdiction over all facets of divorce proceedings. These include the entry of decrees in divorce and annulments and resolutions of all economic claims arising from divorce actions. Domestic Relations Judges hear all divorce motions; including motions for discovery, substituted service, specific relief, and enter orders approving grounds for divorce. Economic claims arising from divorce actions, such as equitable distribution, alimony, and counsel fees and costs are initially heard by Divorce Masters, who conduct non-record hearings. If an agreement is not reached before the Divorce Master, a proposed Order and Decree is issued and a party may file for a trial de novo before a Domestic Relations Judge. In 2010, there were 1,928 new Complaints in Divorce filed and there were 1,469 Divorce Decrees entered. In addition to the new Divorce Complaints, there were an additional 12,079 divorce related pleadings (contested and uncontested) filed within the Domestic Relations Division.

### ***Custody***

Resolution of child custody disputes is one of the more sensitive and emotionally charged functions of the Domestic Relations Division. Custody complaints are initially referred to the

Custody Unit and conferences or hearings are conducted by Custody Masters. Mediation is available to parties who are seeking an opportunity to amicably resolve their custody disputes. Domestic Relations Judges conduct hearings in claims for primary physical custody, contempt of custody orders, expedited and emergency matters and exceptions to proposed orders for partial custody and visitation orders. In 2010, custody petitions totaled 24,420 including 11,552 new Complaints in Custody, plus petitions for modifications, contempt and interim relief. The number of individual custody cases processed totaled 13,991, with approximately 27,000 custody events being conducted in Domestic Relations.

### ***Domestic Violence***

The Domestic Violence Unit is a *pro se* filing unit designed to provide assistance to victims of domestic violence. The Domestic Violence Unit conducts interviews with petitioners and prepares Protection from Abuse (PFA) Petitions, which are then submitted to Domestic Relations Judges for review and, if appropriate, the entry of a Temporary PFA Order. Domestic Relations Division Judges hear cases involving domestic violence between family members, or between parties who have had an intimate relationship. Domestic Relations Judges also conduct hearings to vacate or extend restraining orders, and in contempt of PFA orders, both criminal and civil. In 2010, PFA petitions seeking the entry of an order totaled 11,623 and 11,827 cases were processed, in addition to the contempt cases and modifications filed.

Judges assigned to the Domestic Relations Division conduct criminal trials every Tuesday and Thursday at the Criminal Justice Center on cases charging defendants with indirect criminal contempt for violation of a protection order entered pursuant to the Protection from Abuse Act. In 2010, Domestic Relations Judges conducted more than 5,200 hearings in criminal abuse cases.

### ***Support***

Child and spousal support cases have three components: 1) establishment of paternity; 2) determination of the support obligation; and 3) enforcement.

#### ***Paternity***

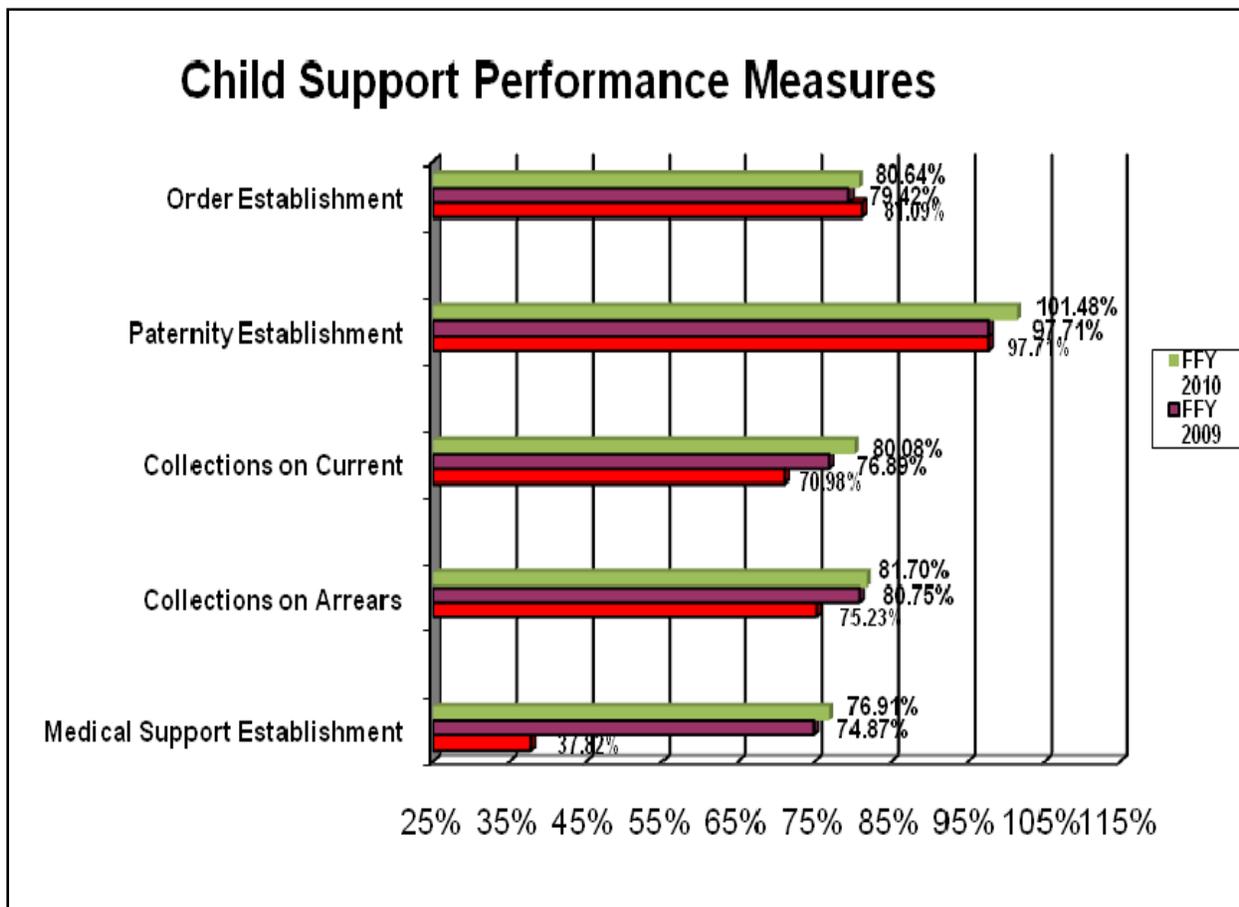
For children born out of wedlock, establishment of paternity is the first step toward determining the child support obligation. Paternity can be established in one of four ways: 1) voluntary acknowledgement of paternity (AOP); 2) genetic testing; 3) default paternity establishment and 4) in hospital paternity establishment. As of December 31, 2010, there were more than 79,000 children associated with a Philadelphia County IV-D case that were born out of wedlock. Of this figure, more than 70,000 children (nearly 89%) had paternity resolved.

### ***Determination of the Support Obligation***

When there is an obligation to provide child support, spousal support, or *alimony pendente lite*, the amount of the support award is determined pursuant to the Pennsylvania Support Guidelines, which are set forth in the PA Rules of Civil Procedure. The Support Conference Officers and Support Masters conduct conferences and hearings regarding the entry of support orders. Domestic Relations Judges conduct Exceptions hearings and Contempt hearings and enter final orders for support. In 2010, there were 42,960 support filings, including approximately 18,373 new complaints in support.

### ***Improved Performance Measures Resulting in Increased Child Support Enforcement Funding***

With assistance from the Department of Public Welfare's Bureau of Child Support Enforcement, the Domestic Relations Division has taken great strides to improve federal child support performance standards. Philadelphia County has exceeded federal standards in four of the five measures as of federal fiscal year 2010.



The four primary performance measures utilized by the federal and state government to measure program performance improved steadily from December 2008 to December 2010 as noted below:

<b>Performance Measures</b>	<b>December 2008</b>	<b>December 2010</b>	<b>Increase</b>
<b>Support Order Establishment</b>	80.17%	80.80%	0.63 points
<b>Paternity Establishment</b>	87.99%	88.37%	0.38 points
<b>Current Collections</b>	74.28%	80.32%	6.04 points
<b>Arrears Collections</b>	59.95%	64.24%	4.29 points
<b>Medical Support Establishment</b>	36.80%	74.30%	37.50 points

***Philadelphia Domestic Relations Cited for EITC***

The Child Support Report published an article by the Office of Child Support Enforcement (OCSE) which cited Philadelphia Domestic Relations for its efforts in informing our clients about the Earned Income Tax Credit (EITC). The article stated that the Internal Revenue Service, Bureau of Child Support Enforcement, the Domestic Relations Association of Pennsylvania (DRAP) and OCSE have worked in partnership to provide information about EITC to qualifying families.

***Enforcement and Support Collections***

Domestic Relations child support collections were \$181,999,979 in 2010. Of the total collections \$12,354,818 represented welfare collections on behalf of the Pennsylvania Department of Public Welfare.

***Credit Card Payments***

In 2010, the Domestic Relations Branch began to assist obligors with making child support payments using their credit card (Visa, Mastercard, AMEX, or Discover). Payments are made electronically through a website [www.phillychildsupport.com](http://www.phillychildsupport.com) on a computer located in the Tactical Enforcement Unit. This mode of payment provides the obligor with an easy way to make current or past-due payments.

### ***Seize of Unclaimed Property***

In 2010, the Tactical Enforcement Unit obtained a listing of unclaimed funds from the PA Treasury Department. The staff researched the provided information and was able to match 31 obligors to Child Support cases with overdue arrears. As a result, Philadelphia County collected \$5,291.31 in support.

### ***Philadelphia County Case Action Lawsuit Intercept***

Due to a lawsuit initiated by incarcerated individuals in the Philadelphia prisons, a judgment was entered against the city, class action plaintiffs who were delinquent obligors had part or all of their net proceeds seized and applied toward their support arrears. In 2010, Domestic Relations Branch, in cooperation with the Philadelphia District Attorney Office, collected \$144,560 from 151 obligors who owe overdue child support arrears.

### ***Drivers License Amnesty Project***

In April 2010, the Tactical Enforcement Unit implemented an amnesty project to obligors with outstanding suspended driver's license due to lack of consistent Child Support payments. This project gave obligors an opportunity to make a lump sum payment or provide a source of attachable income in return of their driver's license being restored. The project restored 88 obligors' driver's license and collected over \$51,000 in lump sum payments.

### ***Child Support Lien Network (CSLN)***

The Child Support Lien Network (CSLN) program intercepts insurance settlements owed to Child Support obligors who are delinquent in their support payments and applies the intercepted funds to owed arrears. In 2010, Philadelphia County collected \$1.7 million. Of the total collected in December 2010, the Tactical Enforcement Unit had collected the largest CLSN intercept in Pennsylvania for over \$26,000.

### ***Zip Code Project***

In 2010, the Tactical Enforcement Unit was able to create projects, with the new version of the Performance Improvement Module (PIM), which focused on delinquent obligor arrears only cases by zip code. This project is still in effect.

### ***Ordered On Arrears (OOA) Project***

In 2010, the Tactical Enforcement Unit and Financial Services Department reviewed nearly 500 cases showing no arrears provision. The reviewed cases were corrected and a modified wage attachment was issued that resulted in increased collections.

### ***Financial Institution Data Match (FIDM)***

In 2010, Philadelphia County seized nearly \$1.3 million from 432 obligor bank accounts who owed child support arrears.

### ***Quality Assurance Internal Controls***

In 2010, the Financial Services Department participated in quality assurance areas. The Financial Services Department developed a consolidated list of PACSES reports: DIT List, E-Reports and FTI-Reports that helps to increase performance measures by giving the appropriate reports to the responsible Domestic Relations Units to be investigated and corrected.

### ***Welfare in Transit Project***

Welfare in transit is collections that are distributed to welfare arrears in IV-D distribution, but could not be processed through IV-A distribution. The welfare collections could not be received by the Department of Public Welfare (DPW) because no IV-D/IV-A linkage could be found to successfully transfer the money. Over the last year, the Financial Services Department staff has matched hundreds of cases which resulted in nearly \$700,000 successfully distributed to DPW.

### ***Disbursement Address Hold Report***

Starting June 22, 2010, for the first day since the implementation of the statewide PACSES computer system in 1999, no payments are on hold in Philadelphia County due to a bad address.

### ***Inter-divisional Memorandum of Understanding***

As outlined in an Inter-divisional Memorandum of Understanding (MOU), the Domestic Relations Branch, Pre Trial Services of the Criminal Division, and the Bureau of Child Support Enforcement demonstrated continued success executing Domestic Relations bench warrants. The combination of the MOU and the administrative bench warrant review process has enabled the Domestic Relations Branch to successfully dispose of outstanding bench warrants. In January 2010, there were 4,124 outstanding bench

warrants and an additional 2,508 bench warrants were issued during 2010, totaling 6,632 warrants. As of December 2010, there were 3,850 outstanding warrants.

### ***The Networking for Jobs Program***

This program helps unemployed defendants who are required to pay child support find and keep full-time employment by connecting them with provider agencies. The provider agencies assistance includes career counseling, job readiness classes, peer support, weekly transpass, job placement, on-going contact with career counselor, and additional training. Unemployed defendants are referred to the program by the Judiciary, Support Masters, Trial Commissioners, and Conference Officers. In 2010, 73% of the defendants who were referred to the Educational Data Systems, Inc. (EDSI) jobs program entered into employment with an average hourly wage of \$9.08 and 45% of the jobs provided medical benefits. Between January and September, 2010, defendants participating in the EDSI program paid more than \$2.4 million in current and past due child support. Since 2005, defendants participating in the EDSI program have paid more than \$10.5 million in current and past due support.

### ***Ex-offender Reentry Outreach Project***

In 2010, the Domestic Relations Branch partnered with OCSE and BCSE and participated in an ongoing project to promote successful reentry of female ex-offenders into the community. In May, 2010, as part of this project, representatives from the Domestic Relations Branch visited the Federal Detention Center in Philadelphia to participate in the informational portion of a Mock Job Fair. In November, 2010, these same representatives returned to the Federal Detention Center to participate in a Resource Fair.

### ***First Payment Exit Interviews***

In 2010, the Support Establishment Unit's First Payment Initiative continued to encourage obligors to make a support payment at the time that the support order is established. Several days before their scheduled establishment conference, potential obligors receive a letter reminding them that they will be expected to make a payment on the day their order is established. If a support order is established during the establishment conference, the defendant is immediately referred to a conference officer who is well versed and trained in the enforcement process. During this exit interview, the defendant is asked to make his/her first payment, and the ramifications of delinquency are thoroughly explained. If the obligor is not prepared to make a payment, a review conference is scheduled within 15 days to ensure that payments are being made. If payments are not made within the first 15 days, the case is referred to the Support

Compliance Unit to schedule an enforcement conference. During 2010, more than 3,000 cases were processed through the First Payment Initiative, and more than \$344,000 was paid on these cases within 15 days of the order being established.

## ***Pennsylvania Child Support Enforcement System (PACSES) Enhancements***

### ***Performance Improvement Module (PIM)***

In September 2010, the Bureau of Child Support Enforcement (BCSE) successfully implemented enhancements to the Performance Improvement Module (PIM) including additional filtering options, a real-time view of case notes, a Supervisor Dashboard and a Projects feature. These enhancements significantly aided staff in their effort to maximize collections of current support and arrears.

### ***Paternity Tracking System (PTS) Enhancements***

The PTS is a database by which BCSE tracks voluntary Acknowledgement of Paternity (AOP) forms executed for children born out of wedlock. Hospitals, Domestic Relations Sections, County Assistance offices and individuals submit AOPs to BCSE, who then enters the data into the PTS and scans the forms into a document sharing application, DocuShare. In July, 2010, BCSE enhanced the PTS to increase speed, accuracy and productivity for establishing and disestablishing paternity and to maximize Federal paternity establishment performance measures.

### ***Support Guidelines***

In 2010, the Pennsylvania Supreme Court issued an order amending Pennsylvania Rules of Civil Procedure governing Child Support Guidelines. The rule changes modified (increased) the Self Support Reserve (SSR), refined the assessment of earning capacity, eliminated the Melzer calculation in high income cases (parties combined net income exceeds \$30,000 per month), and consolidated the deviation rules. PACSES was modified to be in compliance with all rule changes and all appropriate staff received training in how to properly apply the new support guidelines.

### ***IVR Outbound Calling***

In March, 2010, PACSES successfully implemented an Interactive Voice Response (IVR) system that places reminder phone calls for all scheduled events within PACSES. Reminder calls are automatically made to the plaintiff and/or defendant starting 1-3 days

prior to the scheduled appointment. IVR Outbound calling attempts to contact the party on three separate occasions until the day before the scheduled appointment or until there is a successful connection. These reminder phone calls are expected to decrease the number of litigants who fail to appear for their scheduled appointment.

### ***Employer Enhancements***

In December, 2010, PACSES implemented a new web-based Employer Search engine that offers the user a more efficient and flexible way to search for a specific employer. The new employer search application offers the user the choice of conducting a basic or more advanced search and is intended to assist workers in locating employers and effectuating income withholding orders.

### ***Judicial Education***

During 2010, the Judiciary of the Domestic Relations Branch met on the first Wednesday of each month for a series of “Family Conversations.” Honorable Holly Ford, Honorable Doris Pechkurow, and Honorable Robert Matthews served as Co-Chairs of the Family Conversations. During the year, some of the feature speakers included; MaryAnn Volk, Executive Director of the Center for Families and Relationships; Roberta Trombetta, Esq., newly appointed Chief of Children and Youth in Dependency Court; Michael Levy, Interim U.S. Attorney for the Eastern District of Pennsylvania; Honorable Katherine Platt, Chester County Court; Ismael Alvarez, Children’s Crisis Treatment Center; and representatives from the Philadelphia School District’s Parent University Program

### ***Facilities***

#### ***Security***

The Security Unit of the Domestic Relations Branch held a safety and security seminar on February 18 and 19, 2010 for all court personnel. Among the topics discussed were Shelter-in-Place and Workplace Violence. In June, 2010, the Security Unit conducted additional seminars on Safety and Security Awareness. These seminars are part of the Security Unit’s ongoing effort to keep employees informed and safe at all times.

### ***DR Stands for Diversity***

In 2010, the Pennsylvania Interbranch Commission for Gender, Racial and Ethnic Fairness Equal Opportunity and Diversity Committee released their manual that featured employees of Philadelphia's Domestic Relations Branch on the front cover. Included in the photograph were the Honorable Ida Chen, committee member, and Deputy Court Administrator Mary Lou Baker. This manual was created to give judges and court administrators demographic data on the populations they serve, details on conducting a diversity-needs assessment, and resources to develop an effective diversity program.

### ***Eastern DRAP***

In March, 2010, the Philadelphia Domestic Relations Branch hosted a meeting of the eastern region of the Domestic Relations Association of Pennsylvania (DRAP). The meeting included representatives from 16 counties, Office of Child Support Enforcement (OCSE), Bureau of Child Support Enforcement (BCSE), and the Pennsylvania Child Support Training Institute (PACSETI). Topics of discussion ranged from proposed legislation changes, including new child support guidelines, to enhancements to the PACSES system. The meeting proved to be a successful exchange of ideas and information.



## Orphans' Court Division

The Orphans' Court Division of the First Judicial District had a dynamic year in 2010. Like the rest of the nation, the City of Philadelphia has experienced prolonged downturns in the real estate market, lending market and in employment figures. Philadelphia is slowly starting to recover from the economic recession that has now plagued the nation for years. Over the course of 2010, the city's economic health has continued to struggle steadfastly towards stabilization.

I would like to briefly address some of the challenges and issues facing the City of Philadelphia, which consequently may have an impact on the Court. The Philadelphia real estate market has been slow to recover. However, Philadelphia's tax-abatement program, which exempts homeowners from paying city property taxes for ten years, continues to stimulate real estate construction somewhat, as more than 12,000 new residential units have been completed since 1997. Also, residential foreclosure filings in the Philadelphia area fell 11% in December 2010, compared to December 2009.

On the employment front, the Philadelphia area saw the creation of 5,200 jobs in 2010, but maintained a rate of continued job loss. As of September 2010, Philadelphia County maintained an unemployment rate of 11.2%, higher than the national 9.2% average, and higher than rates for surrounding counties. Highest gains in employment were found in education and the healthcare industry, consistent with Philadelphia's wealth of colleges, nationally known universities and hospitals, including major research hospitals.

In spite of the economic challenges, the population of Philadelphia has started expanding after steadily declining every decade since the 1950s (although the population of affluent persons has been steadily rising). This recent population growth may be attributable in part to the migration of empty nesters from the suburbs into the city, and college graduates increasingly taking root in Philadelphia. Both groups are encouraged no doubt in part by the wonderful amenities that the City of Philadelphia has to offer. Attractions include a vibrant restaurant and night life scene and a strong presence of the arts through the city's museums, theatres, orchestra, ballet and opera. Philadelphia continues to improve and invest in itself, with construction well underway on the relocation of the world renowned Barnes Museum on the Parkway, and the opening of the new SugarHouse casino. The Delaware River Waterfront Corporation began construction on the new Race Street Pier on the Delaware River, Philadelphia's newest park. This new public space is scheduled to open in the late spring of 2011 and is a creative way for the public to make use of a previously nonfunctional space. Philadelphia is also attractive to residents and newcomers for its affordability, higher quality of life and vibrant neighborhoods.

In the face of grim economic reports and conservative forecasting, the Orphans' Court Division has continued to work strenuously to ensure that our judicial process operates fairly, proficiently and productively. The Orphans' Court continues to bring in revenue, collecting

Eleven Million Eight Hundred Eighty-two Thousand Seven Hundred Forty-nine (\$11,882,749) Dollars from inheritance tax collections for Pennsylvania in 2010. This money represents the combined efforts of the Orphans' Court and the Pennsylvania Department of Revenue, benefiting the Commonwealth of Pennsylvania. Over a million more dollars were collected in 2010 than in 2009, which is a significant growth for the state.

In addition to the added tax revenue for the State, the Orphans' Court has generated considerable funds through the collection of filing fees. This year, the Clerk's Office processed Four Hundred Five Thousand, Six Hundred Twenty-Five (\$405,625.10) Dollars in fees. This is a 10.6% increase in revenue from filing fees collected in 2009 (\$366,815.20), due to changes in the fee schedule implemented in 2009 in an effort to make our fee schedule consistent with the surrounding counties. This increase in revenue benefits the City of Philadelphia as well as the Orphans' Court. Funds generated through the collection of filing fees are distributed to the General Fund of the City of Philadelphia, Jenkins Law Library, the Family Court Facility Fund, and the Orphans' Court for use in developing and maintaining our electronic filing system.

The Orphans' Court has also continued to work to improve our operations. The Orphans' Court was the first Court to establish an electronic filing system. As a result, the Court has had an ongoing opportunity to develop and expand the functionality of the system. Electronic filing permits attorneys and pro se parties to electronically file documents through the Court's website (<http://courts.phila.gov>). Over the course of this last year, Orphans' Court expanded its use of the Banner Case Management System.

In 2009, Orphans' Court began to electronically track compliance with the reporting requirements that apply to Guardians of Incapacitated Persons. Within 90 days after the entry of a Decree appointing a Guardian of the Estate of an Incapacitated Person, the Guardian must file a Guardian's Inventory, which details the real and personal assets of the Incapacitated Person. Within one year of that Decree, a Guardian of the Estate must file an Annual Report which describes the value of the principal assets of the Estate, how the Estate is invested, how much income has accumulated, and any expenditures that have been made over the year. Thus, the Court can monitor the validity of any and all principal expenditures, and how the Incapacitated Person's property is being applied.

The Guardian of the Person also must file an Annual Report providing the court with the following information pertaining to the Incapacitated Person: their current living arrangements, the name and address of their primary caregiver, the status of medical or mental health conditions, the frequency and length of visits paid by the guardian, as well as a general statement of how the Incapacitated Person is doing. Within 60 days of the death of the Incapacitated Person, the Guardian must file a Final Report. All of the above listed reports are reviewed by judicial staff upon submission to the Court.

During 2010, a concentrated and collaborative effort was made to design and implement procedures to ensure that Guardians are complying with these requirements. The Court's E-filing system now automatically notifies guardians who have failed to file the necessary documents within the allotted time, that they must file a required Guardian's Inventory or Annual Report. Notices are sent electronically to the appropriate parties when a Guardian's Inventory or Annual Report is not filed. Where there is no way to send an electronic notice, i.e., if there is no email address on file, notices will be sent out in hard copy through the mail. If the appropriate documents are not filed in response to the notices, the case will be listed for a Rule Returnable Hearing, at which Hearing the Guardian will be expected to explain to the Court reasons for the failure to file required documents. These requirements, rules and necessary forms are all readily accessible to Guardians in the form of a Guardian's Manual, which is available on the Court's website.

This new procedure greatly increases the accountability of Guardians of Incapacitated Persons to their wards and to the Court system, and places the Court in a better position to monitor the activity of Guardians. It guarantees that the Court will possess sufficient and accurate information to determine whether Guardians are doing their jobs, and to make sure Incapacitated Persons are not being exploited. It is also a great use of our filing technology, resulting in much higher efficiency.

This new protocol became effective at the end of September, 2010. In 2010, the Court processed and reviewed 794 Inventories, Annual Reports and Final Reports. Having only been operational for a few months, the letter generation project has already generated and sent out 146 Notices to delinquent Guardians. As time goes by, we expect to see a definite increase in the volume of these filings.

Accessibility to the public has always been a crucial element of the judicial process, and one which the Orphans' Court takes very seriously. The Electronic Filing System became operational in Orphans' Court on January 1, 2005. Since that time, a total of 19,895 people (12,312 attorneys and 7,583 pro se parties) have applied for and been granted access to the system. This access enables attorneys and parties to file a new case, or to file a pleading in an existing Orphans' Court case. The Orphans' Court Electronic Filing System also allows attorneys and pro se parties to review the dockets on their respective cases. Attorneys can review the dockets for any case in which they are attorney of record.

Access to electronically filed documents, in redacted form, continues to be available to the public through computer terminals in the Clerk's Office. Outside the Clerk's Office, the public can access only docket lists. In 2010, an additional 1,727 attorneys were assigned a username and password, while 2,181 pro se parties were assigned a username and password.

To assist users of the Orphans' Court E-Filing system, a training video and user manual are available online at the Court's website (<http://courts.phila.gov>). The website also contains

many forms that can be filled in and submitted, a feature that has become so helpful, and nearly essential, to Orphans' Court practice. The Philadelphia Estate Practitioner Handbook remains available on the Internet (<http://www.peph.com>), which contains links to manuals, checklists and forms specific to the Orphans' Court Division of the Court of Common Pleas of Philadelphia County.

During 2010, approximately 2,212 new cases were filed in Orphans' Court. This is approximately the same volume experienced during 2009. Motions filed electronically and over the counter totaled 3,495, and the number of pleadings totaled 3,857 in 2010. All documents must ultimately be filed electronically, and most documents are originally filed in electronic form by the parties themselves. Only 311 out of 3,857 (less than 6%) pleadings were brought into the Clerk's Office in hard paper copy and filed over the counter, to be later scanned into the system by the Clerk. Filing in hard copy over the counter remains an option for those who may not have access or ability to file by electronic means.

Eighty two percent (82%) of the filings accepted electronically (4,259 out of 5,308 E-filings) are paid for by credit card. Electronic filing and credit card use leads to more efficient processing. In fact, in 2010, petitions filed during court hours were reviewed within about a half hour of being filed.

Pennsylvania is second in line to Florida for the highest population of senior citizens and the City of Philadelphia reflects that with a higher than average population of seniors. This community is expected to increase in the near future. The baby boomer generation (defined as those born between 1946 and 1964) are now starting to turn 65. A higher life expectancy and lower death rates have led to a growing population of seniors age 85 and over. Unfortunately, with age comes the onset of dementia, which increases the Court's role in protecting the interests of the more vulnerable citizens.

This population expansion indicates that the Orphans' Court will continue to handle and process a steady volume of petitions for adjudication of incapacity and guardianship hearings. As the population continues to age, this volume is expected to rise. With it, so should the attendant filings that accompany new incapacity cases, i.e., petitions for allowance, filing of inventories and reports, and review hearings. The result should be an exponential increase in filings as the senior population of Philadelphia ages, exerting additional pressure on the Orphans' Court to continue to process documents and cases with the consistent care and speed we have always employed, all within a tighter budget. As always, the Orphans' Court stands ready for the challenge, and looks forward to another successful year.



# Philadelphia Municipal Court

## Civil Division

### 2010 Philadelphia Municipal Court Civil Division Initiatives

#### Civil Litigation Automated Information Municipal Court System (CLAIMS)

Introduced in 2002, CLAIMS was the first integrated, web-based electronic filing and case management system in the Commonwealth of Pennsylvania. All Municipal Court civil cases are filed electronically and provide online access to dockets and schedules. In addition, some forms are available to counsel. All dispositions are recorded “real time” into the system. On March 2, 2009, electronic filing became mandatory in Municipal Court for all attorneys.

Currently, over 3,541 attorneys are registered CLAIMS users. All City of Philadelphia code enforcement cases are filed and disposed of electronically. MC Civil Administration provides training for all new users. Pro-se litigants may gain access to the CLAIMS system, as well as view an online video which highlights and explains the Court’s filing procedure via the court’s website, <http://fjd.phila.gov/municipal>. In addition, an attorney training manual is on the Court’s website. This manual is updated periodically as new enhancements are implemented. As always, the staff of Municipal Court remains available to answer questions and offer assistance. To that end, in 2010 a team of supervisors and line staff was formed to train new users of CLAIMS and test enhancements prior to their implementation. Currently, we average over 4,500 filings per month. This number is expected to increase with the raise of the jurisdictional limit from \$10,000 to \$12,000.

In 2010 Municipal Court began implementation of the following enhancements:

- Migration of judgment records prior to the implementation of CLAIMS to CLAIMS
- Code Enforcement filings by Agency 81 (**completed**)
- New Landlord/Tenant complaint form
- Party specific notices of judgment
- Email notification for both attorneys and pro-se litigants
- Electronic continuance procedure for pro-se litigants (**completed**)
- Senior Law Center Project (**completed**)
- Enhance website links (**completed**)
- Restrict confidential staff scheduling to court staff (**completed**)
- Update to CLAIMS as a result of the increased jurisdictional limit (**completed**)

We continue to perform audits to ensure the system is operating with maximum efficiency. And, the Judgment and Petition Unit continues to scan paper files into CLAIMS.

### Future Goals for 2010 for CLAIMS

- Complete an electronic interface with the Sheriff’s Office
- Provide a feature to allow garnishees to satisfy and dissolve attachments
- Provide for the filing of a Praecipe to Enter Judgment against the Garnishee based on answers to the interrogatories.
- Provide attorneys with the ability to electronically file answers to interrogatories
- Provide for the electronic filing of a Bill of Cost
- Enhance the statistical reporting features

### 2010 CLAIMS STATISTICS

FIRST FILINGS	FILED	DISPOSED
Code Enforcement	52,028	48,403
Small Claims	35,350	30,864
Landlord/Tenant	29,891	25,770

SECOND FILINGS	FILED
WRITS (LANDLORD/TENANT)	25,316
WRITS (SMALL CLAIMS)	4,589
WRITS (CODE ENFORCEMENT)	43
WRITS (TRANSFER OF JUDGMENT)	81
PETITIONS	10,509
RELISTMENTS	3,380
ORDERS TO SATISFY	7,974
SETTLE DISCONTINUED AND ENDED	3,766
ADMINISTRATIVE CONTINUANCES	1,350

### Wage Attachments in Landlord/Tenant Matters

Section 8127 of Title 42 was amended on December 9, 2002, which allowed wage attachments in Landlord/Tenant Cases. Municipal Court and its staff implemented a procedure on April 22, 2003 to handle this process. During 2010, the court filed 72 praecipes, resulting in the collection and disbursement of \$95,448 from attorney filings along with \$64,686.63 in pro-se filings

totaling \$160,134.83. The Court's CLAIMS system has been enhanced to have all wage attachments and payments scanned and docketed.

### **ADA Statistical Accommodations**

Municipal Court offers several options to expeditiously accommodate individuals with disabilities. In 2010, through a dedicated phone line for all ADA requests, the court received 1,568 calls. We assisted 297 individuals with wheelchairs to and from the courtrooms; the court ordered and paid for 8 sign language interpreters at a cost of \$2,099; and continued 451 cases in order to provide more time for clients to make special arrangements. The Court handled 417 telephonic hearings during this period from courtrooms, and mailed over 832 ADA forms and 111 various instructions to individuals. The total number of individual accommodations was 3,981.

### **Interpreter Requests**

The Civil Division utilizes the Language Service Line as an alternative method to use in our departments. The Court secured 25 per diem interpreters for the Landlord/Tenant courtroom; 40 per diem interpreters for the Small Claims Courtrooms; and 1 interpreter for Code Enforcement Cases. The expenditures for 66 cases amounted to \$22,477.25.

### **Satellite Small Claims Court**

During part of 2010, we continued to provide access to justice through the 8<sup>th</sup> Police District Civil Night Court Program which allowed litigants to resolve cases in closer proximity to their homes. This program provided litigants the ability to have their cases heard by a Municipal Court Judge or settled with the assistance of a Certified Court Mediator. In 2010, the court scheduled 432 Small Claims Cases and disposed of 420. The program faced closure later in the year as there were a limited number of cases listed. The judge and staff were better utilized by having a full list of cases at 34 S. 11<sup>th</sup> Street.

### **Customer Service**

The Court designates two on-site areas for customers and attorneys to access civil dockets in a "read only" mode. The Court provided assistance to 42,139 customers at information counters in 2010.

### **Internship Programs**

The Civil Division continues to utilize students from the following programs:

- CITE Business School Internship Program
- Greater Philadelphia Urban Affairs Coalition
- Path, Inc.
- PHEAA Student Interns
- Liberty Resources

- Philadelphia Electrical and Technology Charter School (PE & T)
- Credits Student Interns
- Volunteer Student Interns
- Externship Program

### **Common Pleas Appeals**

On July 1, 2010, Municipal Court took over handling all Landlord/tenant Appeals, PennDOT appeals and certain equity actions filed by the City of Philadelphia, for the Court of Common Pleas. Judges who were temporarily certified to hear CP cases have helped resolve these cases, while enabling the previously assigned CP judges to handle more complex matters.

### **Philadelphia Parking Authority**

In March, 2010, in an effort to work with the City of Philadelphia we added the Philadelphia Parking Authority to the Municipal Court list of agency filers. At no cost to the City of Philadelphia, the Parking Authority began electronically filing collection matters on a weekly basis, which are scheduled before a Trial Commissioner. The majority of these cases are settled by agreement, generating revenue for the City. We have witnessed increased filings each month.

### **Dispute Resolution Program**

The Dispute Resolution Program continues to offer mediation services for all Landlord/Tenant and Small Claims matters. These cases are handled by certified volunteers and/or third year law students. The 2010 agreement rate for Smalls Claims reached 79% and the agreement rate for housing-related matters was 82%.

The Program also provides Arbitration for resolution of Private Criminal Complaints. Arbitrations are conducted by attorneys trained in dispute resolution skills. Participants enter binding, non-appealable Orders. Trial listings are initially scheduled for compulsory mediation to attempt to reach a resolution before trial. Department statistics illustrate a 90% success rate. Only 10% of these cases are scheduled for a criminal trial before a Judge.

### **Notes of Testimony**

During the early part of 2010, we began to archive all the civil notes of testimony from the years 2006 through 2009. The court server was near capacity, due to the digital recordings of the civil courtrooms for the past several years. Archiving these years to another area and server was successfully accomplished without additional costs. If needed, court supervisors have the ability to retrieve the audio proceedings on their computers.

## Training for Employees

Employees of the civil division have received training from our Human Resource Department on the Policies of the First Judicial District. Representatives from that department have completed on-site training on various topics, including Workplace Behavior; FMLA; Anti-harassment and various other policies.

Working in conjunction with the Senior Law Center and the Civil Gideon Task Force, we developed and implemented bi-lingual information notices which are generated and included with service of all Landlord/Tenant complaints. In addition, a statistical report was developed for cases involving any senior citizen in Landlord/Tenant matters. This report can be accessed by the attorneys at the Senior Law Center as well as First Judicial District Management.

### 2010 SENIOR CITIZEN PARTY TOTAL

PLAINTIFF	DEFENDANT
604	102

Municipal Court also works with the Senior Law Center and Civil Gideon Task Force to set up a help desk during designated work hours.

## Conclusion

Civil division goals for 2011 include enhancements for our electronic filing system to incorporate an interface with the Sheriff's Office, provide the ability to allow garnishees to satisfy and dissolve attachments, provide for the filing of a Praecipe to Enter Judgment against the garnishee based on answers to the interrogatories, and to provide attorneys with the ability to electronically file answers to interrogatories.

## Municipal Court Criminal Division

### Criminal Division Initiatives

Philadelphia Municipal Court's Criminal Division witnessed extensive changes throughout 2010. Working collaboratively with our justice partners, numerous initiatives were brought to fruition. Budget challenges have continued to impact the overall operations of the Philadelphia Municipal Court; however we continue to apply our best efforts to meet the challenges, despite limitations in staffing and resources.

In early 2010, the Pennsylvania Supreme Court enacted several Rule changes in Philadelphia Municipal Court. One notable early change involved the expansion of Rule 1003. Given the volume of approximately 26,000 felony cases each year, timely scheduling of felony preliminary hearings within 3 to 10 days has presented systemic challenges. The Pennsylvania Supreme Court provided for the scheduling expansion of felony preliminary hearings within 14 to 21 days, thereby providing more time for meritorious adjudications by Philadelphia Municipal Court Judges. While still in its infancy, we expect to witness an increase in adjudications at the Municipal Court level.

### Statistics

#### Felony and Misdemeanor Filings

Over the years, data analysis has presented almost insurmountable challenges with the compilation of statistics and reports. With the direct involvement of Chadwick and Associates, the Court anticipates relevant data to be available in 2011. For the second consecutive year, 2010 illustrated an overall decrease in new felony and misdemeanor cases in Municipal Court.

<i>Criminal Filings</i>	1996	2000	2004	2007	2008	2009	2010
Felony Hearings	21,062	30,819	30,434	34,590	34,667	32,301	29,204
Misdemeanor Trials	22,641	30,606	27,607	25,382	28,151	26,841	25,999
Total Criminal Filings	43,703	61,425	58,041	59,972	62,818	59,142	55,203

In 2010, 49,464 individuals accounted for 55,203 cases (90% of defendants are arraigned on one case; 10% have multiple cases)

One goal for 2011 is to explore changing the way the police generate an OTN to mirror the rest of the Commonwealth. This change will involve revisions in current practices and we

anticipate the collaborative involvement of select criminal justice partners in Philadelphia and the AOPC to bring the objective to fruition.

### **Felony and Misdemeanor Dispositions**

*Disposition data is supplied by the Administrative Office of Pennsylvania Courts (AOPC) from the statewide Common Pleas Criminal Case Management System (CPCMS). Data entry was performed by the Clerk of Quarter Sessions staff.*

<i>Criminal Dispositions</i>	<b>1996</b>	<b>2000</b>	<b>2004</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
Felony Hearings	21,081	30,882	27,934	35,144	36,812	34,331	32,568
Misdemeanor Trials	22,733	29,150	25,037	27,641	27,987	29,238	33,733
<b>Total Dispositions</b>	<b>43,814</b>	<b>60,032</b>	<b>52,971</b>	<b>62,785</b>	<b>64,799</b>	<b>63,569</b>	<b>66,301</b>

Several glitches were uncovered with data compilation. Municipal Court will provide detailed adjudication reports once further refinements are made to reflect relevant reports. This is part of an ongoing review with Chadwick, AOPC and PARS databases.

The Municipal Court active pending inventory witnessed a 10,000 case decrease from 2009 to 2010. We commenced the calendar year with 29,369 cases in active inventory and closed December with 19,413 active cases pending.

## **2010 Philadelphia Municipal Court Criminal Division Highlights**

### **Summary Diversion Programs**

Many summary offenses are quality-of-life issues, e.g., disorderly conduct; prostitution; graffiti; underage drinking, etc. Special summary programs are operated within the unit, such as, nuisance night court and the summary diversion program. These programs were the original “problem solving courts” in the Commonwealth, introduced in the late 1990’s to address quality of life issues for the citizenry in an attempt to dissuade future criminal behavior. The Quality of Life Diversion Program continues its mission of changing behavior at the forefront of criminal activity. Over 4,000 people attended the program in 2010. Collections for the Victim Compensation Fund amounted to \$127,200 for calendar year 2010 and a total of 17,200 summary offense cases were handled by the department. Collections continue to sustain the operations of the departmental staff, nuisance night court and the summary diversion programs.

### Other matters initiated without an arrest warrant:

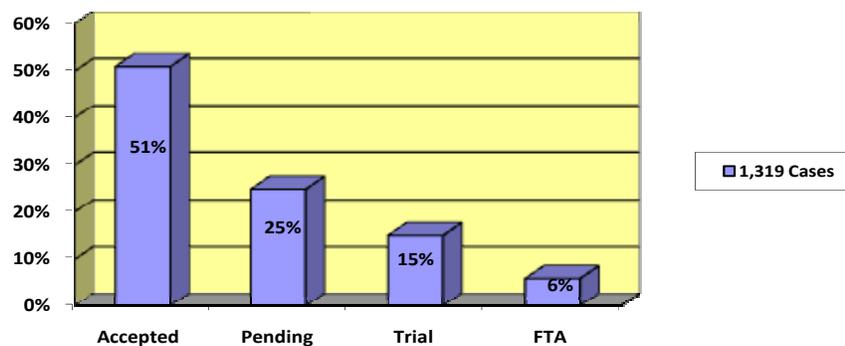
CASE TYPE	DISPOSITIONS
Private Criminal Complaints	1,152
Welfare Fraud	1,449
Unemployment Compensation	570

### Veterans Court

Philadelphia Municipal Court, in conjunction with the District Attorney's Office, Defender Association of Philadelphia and Veterans' agencies, embarked on its latest problem solving endeavor to divert front end cases involving Veterans. The program assists justice-involved Veterans struggling with mental health, substance abuse or other reintegration issues.

Building on the success of established treatment court programs in Philadelphia, the new Veterans Court oversees a range of services offered to qualified Veterans involved in the criminal justice system. The Judicial Branch recognizes the tremendous service Veterans provide to our country, and believes it is the Court's obligation to provide them with programs and services to overcome challenges that are unique to their experiences.

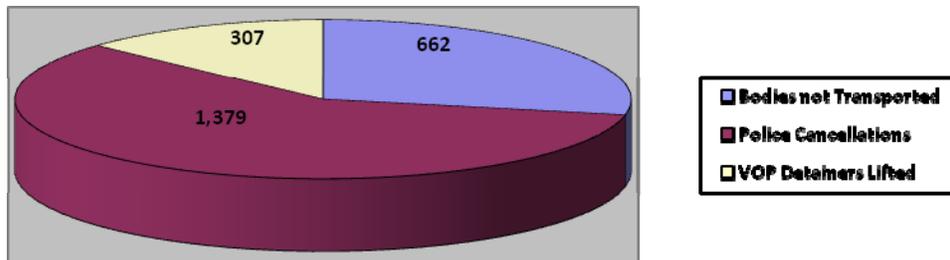
The Philadelphia Veterans Court is providing Veterans with immediate access to representatives from the Veterans Administration (VA) to determine benefits eligibility and to perform an assessment to determine the appropriate level of care. This assessment determines the Veterans' suitability for an array of VA programs, including any required treatment (alcohol, drug, mental health or medical) as well as housing, job training, job referrals and other ancillary services. We've been fortunate to have an incredible VJO (Veterans' Justice Officer) who has assisted in the program's success.



## Video Crash Court

Municipal Court has expanded video technology with the prison for the conduct of misdemeanor crash court thereby expediting adjudications for custody defendants. Previously, those held in custody were transported to the Criminal Justice for plea or stipulated trial. The implementation of this successful program is expediting release based on agreements of defendants and counsel in conjunction with offers presented by the Commonwealth. We have worked with the Clerk and IT staff to provide the ability to remotely print documents at the prison locations. This efficiency has eliminated the unnecessary physical transportation of judicial Orders from the CJC to the prison.

**Video Crash Court - 1,379 Cases**



Cases in the non-video crash court were typically heard several weeks post arraignment. Video crash court has expedited hearings. Due to the cooperation of the District Attorney's office, judges are able to immediately address probation/parole issues. Previously, these potential probation/parole violations resulted in longer lengths of stay pending judicial review.

## SAM (Small Amount of Marijuana) Program

The District Attorney's Office is diverting cases involving small amounts of marijuana (CS13A31 - Marijuana). Municipal Court Criminal Administration created a process to continue to present the cases for preliminary arraignment as a misdemeanor, thereby affording the District Attorney the ability to research prior criminal records. If CS13A31 is the only charge, this creates a DA scheduling module to list cases in a designated courtroom before a trial commissioner. Similar to the Summary Diversion Program, if the defendants accept the SAM Option, they are required to complete an educational course and upon successful completion the charges are expunged. This course was developed in house. From June through December, 2010:

- 3,357 misdemeanors were removed from the standard misdemeanor track
- 78% of those appearing opted for the diversion program
- 5% requested trial dates
- 2% were withdrawn by the District Attorney
- 22% fail to appear

### **AMP (Accelerated Misdemeanor Program)**

This pilot program began July 12, 2010 targeting eligible misdemeanants from the Southwest Police Division. The primary goal diverts eligible defendants immediately post arraignment. Once the case is flagged for possible participation, the DA and PD assigned to AMP review the facts of the case and discuss offers. Since the DA and PD have experienced attorneys reviewing these cases, with the goal of resolving them quickly, most offers have been community service and court costs.

After the PD confers with the defendant and confirms the defendant's willingness to accept the offer, the presiding judge resolves the case. We have partnered with approved community organizations to supervise all community service in the neighborhoods and require notification to the court of compliance. (The cases are brought back in 30 days for status of compliance and withdrawal of prosecution.)

Although MC had tremendous cooperation from our employees as well as the DA, PD, and Philadelphia Police Department in planning and beginning this at warp speed, we were particularly fortunate to have the cooperation and assistance of the Clerk of Court working closely to develop the first paperless criminal courtroom in Philadelphia. We now have an experienced court clerk assigned to update dispositions, enabling operation without needing paper files in the courtroom.

While this began as a small pilot program covering four police districts, this initial step provided the foundation to expand the program City wide and provided for paperless technology into additional courtrooms on November 1, 2010. As with all new programs we expect there will be challenges to be collectively addressed and resolved, particularly in securing more community service partners throughout the city.

#### **AMP DATA (July – December with Expansion November 1, 2010)**

- 1,356 cases listed (removed from standard criminal calendar and minimum of 1,356 police officer cancelations)
- 1,130 (90%) accepted AMP program
- 122 (10%) continued for trial
- 104 (8%) bench warrants

### **Zone Court**

In a collaborative effort, the FJD worked with our criminal justice stakeholders to revise our scheduling practices to incorporate geographical prosecution into a Zone Court in the Criminal Justice Center (CJC). Under this ambitious plan, felony preliminary hearings previously

scheduled to police districts relocated to the CJC, however, special lists (homicide, domestic violence, rape, drug court, dui court, etc.) continue to operate separately.

Zone Court room assignments were based on arrest figures provided by the District Attorney's office accompanying a request to centralize cases by detective division. Municipal Court staff worked with programmers from the City's Department of Technology and the AOPC to build new calendars to insure data mapping from PARS to CPCMS is successful. Training was provided to general tipstaves to ensure cases were properly scheduled. Criminal listings staff administratively rescheduled cases already listed beyond the implementation date into proper zone court locations.

As caseloads will be driven by arrest rates in particular divisions, scheduling challenges currently encountered in felony rooms may likely occur in the trial and hybrid rooms when cases from a particular zone are scheduled to one floor. Necessary refinements will continue as the project moves forward. Preliminary feedback is positive in increased adjudications.

### **Prostitution Initiative**

The "Project Dawn" initiative is for women who are in custody on detainers or multiple open prostitution cases. Municipal Court is working with the Commonwealth and Defender Association to streamline prostitution cases to centralize treatment, housing and ancillary services. The project includes a component of therapy for survivors of Commercial Sexual Exploitation (CSE). The Court anticipates final implementation before a designated Judge with attorneys working in a non-adversarial special court to provide needed services to deal with the root causes of this criminal activity. The first graduation is planned for early 2011.

### **CJAB Subcommittee on Police Overtime**

Criminal Administration has worked with the Philadelphia Police Department and District Attorney to evaluate changes which will ensure a police officer's appearance in Court, with minimal impact to police overtime expenditures. In 2010, our efforts have witnessed significant savings (several million dollars). We anticipate expansion and will require dedicated CPCMS evaluation of the conflict checking module and incorporation of police schedules. Our discussions with AOPC programming staff to dedicate resources to this worthwhile and cost effective endeavor continue with hopeful resolution and significant savings resulting in 2011.

### **CJAB Subcommittee on Prison Population**

The President Judge and Criminal DCA continue to work with the FJD and criminal justice partners to review efforts to ensure timely adjudication of custody cases impacting prison population. We have witnessed significant success in coordinated efforts in 2010.

### **CJAB Subcommittee on Grants**

Recognizing our fiscal responsibilities, Municipal Court Administration plays a key role in the grant subcommittee. We were successful in obtaining funding for Veterans Court and PARS database enhancements. The Municipal Court Deputy Court Administrator for Criminal was named Chair of the Grant subcommittee with the recent retirement of the FJD Court Administrator. Working with all agencies, we anticipate a continued push to secure relevant funding.

### **SEARCH**

One immediate result of the task force chaired by Justice McCaffery enabled the First Judicial District and all criminal justice stakeholders to review data needs for applicable sharing. We anticipate additional reports in 2011 to prominently streamline our data needs and data sharing capabilities for better access to justice.

### **Data Compilation Challenges**

The Court continues to work diligently with AOPC and FJD programmers to refine statistical reporting capabilities. We were fortunate to have Chadwick Associates working with criminal administration throughout 2010 to begin unraveling data challenges uncovered after media exposure to inaccuracies and inefficiencies. We have collectively uncovered numerous problems with compilation methods, human error, technical needs, data integrity and unknown workarounds. We anticipate undertaking a re-sweep of data in early 2011 to bring the compilation of data and statistical reports to a more effective methodology in which to manage the court cases in the criminal division. At present, the task is daunting but not insurmountable.

### **DUI Treatment Court**

Building upon the success of the Philadelphia Drug Treatment Court, the Municipal Court, with support from the Philadelphia District Attorney, Defender Association of Philadelphia, Philadelphia Health Management Corporation (PHMC), City of Philadelphia Coordinating Office of Drug and Alcohol Programs (CODAAP), and the First Judicial District, implemented the DUI Treatment Court initiative in June 2007.

DUI Treatment Court promotes public safety, holds offenders accountable for their actions, and helps offenders to be sober, responsible and productive members of the community. In terms of the population served in the DUI Treatment Court, the target population includes DUI participants who qualify for Levels 3 or 4 under the Sentencing Guidelines of the Pennsylvania Commission on Sentencing, and are in need of drug and/or alcohol treatment.

Philadelphia's DUI Treatment Court is dedicated to the treatment and punishment of individuals with multiple DUI offenses, with no history of violent crime or other legal complications related to their DUI offenses. These individuals serve reduced jail time by attending extensive treatment that is legally enforceable. If a defendant is subject to a mandatory minimum sentence of ninety days in prison, he serves ten days in prison, followed by treatment. If a defendant is subject to a mandatory minimum sentence of one year in prison, the defendant serves six months prior to participating in treatment. 93% of the participants have successfully completed the program. To date, four (4) of the 115 graduates have been arrested and one (1) convicted on new criminal charges.

### **Philadelphia Drug Treatment Court**

The Philadelphia Drug Treatment Court, the first drug court in the Commonwealth of Pennsylvania, was established in response to the dramatic growth in drug related criminal activity occurring in Philadelphia. Recognizing that sound strategies to address the drug involvement of criminal offenders must be a fundamental priority of the criminal justice system, the Drug Treatment Court represents an effort to establish a new working relationship between the court and the substance abuse treatment system.

The Drug Treatment Court incorporates the dual aim of reducing the defendants' involvement in crime and their return to the criminal system and of increasing the chances that they can function more productively as citizens. The Drug Treatment Court model represents a structure drawing upon a network of treatment services to respond to the clinically determined needs of participants and features a new and central role for the Treatment Court judge. This court serves as a hub for delivery of treatment and other supportive services that more fully address the range of treatment, health, housing, literacy, educational and other social service needs presented by drug involved defendants

In June, 2000 and again in 2010, the Philadelphia Treatment court was designated by the U.S. Department of Justice, Drug Court Program Office and the National Association of Drug Court Professionals with recognition as a "mentor court" – a court which trains other jurisdictions in planning, implementing, and operating a drug court program. This current distinction is one of only ten of more than 2,300 national and international drug courts. Drug court teams from 20 different states, including Hawaii and the nations of Australia, Lithuania, Bermuda and England have been trained by the Philadelphia Treatment Court. Additionally, the Philadelphia Treatment Court hosts national training workshops sponsored by the National Drug Court Institute.

### **Community Court**

The premise of the Community Court is to provide alternative sentencing options while addressing underlying behavioral problems associated with quality of life crimes and recidivism.

Law enforcement estimates that 80% of the offenders arrested for quality of life crimes are involved with either drug or alcohol addictions or both. Others require mental health intervention. The court's goal is to reduce the quality of life crimes and develop a system of supervised community service while reducing recidivism.

Community Court sentences emphasize restitution to the community by requiring that offenders perform community service in the neighborhoods where the crimes were committed. Offenders have worked with sidewalk cleaning, landscape maintenance and graffiti removal crews of the Center City District and the University City District, in the offices of nonprofit organizations that provide services to the homeless, and have assisted with neighborhood clean-ups.

The Court also provides on-site classes in drug treatment readiness and anger management, as well as physical health screenings, continued medical care and referrals. When appropriate, offenders are placed in drug treatment, health care, education, job training and other programs, either mandated by the Court or entered voluntarily by the offender, to break the cycle of crime.

### **DO IT Program (Domestic Violence)**

The Diverting Offenders Into Treatment (DO-IT) program is offered by the District Attorney, upon agreement of the complainant, for defendants charged with domestic violence misdemeanors. Defendants approved for the program have their cases held under advisement while they attend treatment programs. Levels of care are determined after a confidential assessment by a certified CODAAP evaluator in a centralized location within the courthouse. If the defendant complies with the treatment requirements and there are no further problems between the victim and the defendant, prosecution is withdrawn at the conclusion of the status term (minimum three months to maximum six months). To date, approximately 1,200 new domestic violence cases are diverted each year. 85% of all offenders who enter the program successfully comply with the terms (anger management counseling, drug and alcohol treatment, etc.) and are not brought back before the Domestic Violence judge.

### **Mental Health Initiative**

Many of the mental health challenges brought before the Municipal Court have been centralized and streamlined before President Judge Marsha Neifield. Operationally, the ability to centralize mental health cases for criminal defendants has proven beneficial in dealing with questions of competency and coordinating Orders for mental health evaluations with all parties in one location. The judge also monitors defendants returned to the community at subsequent status hearings. Through the collaborative efforts of the DA and defense counsel hundreds of cases

have been monitored for treatment with prosecution eventually withdrawn. Other cases have had non-trial dispositions requiring mental health supervision and treatment.

### **Linda Anderson Alternative Treatment for Misdemeanor (ATM) Program**

The Linda Anderson Alternative Treatment for Misdemeanants (ATM) is modeled on the Section 17 Probation without Verdict Program for drug offenders, wherein defendants are encouraged to reach a quick resolution to their case in order to receive appropriate treatment as determined by the Probation Department and to prevent further recidivism.

Defendants entering the program are scheduled the same day, before the judge where they tender a conditional guilty plea. The defendant is placed on one-year probation without a verdict and is required to comply with treatment as arranged by the Probation Department. The defendant must also remain arrest free during the one-year probation.

The case is withdrawn by the District Attorney's Office at the status listing when the defendant complies with the treatment directed by the Probation Department and remains arrest free for the one year period. If the defendant does not comply, the case is scheduled before the judge who will likely find the defendant guilty and enter an appropriate sentence (as is done in Section 17 dispositions).

### **Conclusion**

While 2010 brought substantial changes, we anticipate additional, positive objectives and goals in 2011. Initiatives in the criminal division resulted in the diversion of over 7,500 cases from the standard trial calendars, resulting in significant savings in formal trials, court related police overtime and lengthy prison stays.

Resolving the data integrity and analysis challenges will lead to effective management within the criminal division of Municipal Court. At various intercepts from arrest through adjudication, specifically identified and verified quality control measures will be implemented to ensure that data is accurate before efforts to examine performance, efficiency or costs saving measures are begun. This challenge involves all stakeholders and databases. Standardized reports tailored for Municipal Court are needed to allow thorough examination of differentiated case management tracks, productivity levels, time to adjudication, and arrest trends, to better manage the criminal calendars and outcomes. Funding for technology enhancements to benefit all criminal justice stakeholders is welcome. Working with the Clerk of Courts, Municipal Court leaders hope to expand the criminal courtrooms in a similar manner to the paperless civil courtrooms with a shared FJD document management system. Additional Rule changes will incorporate trials in absentia for non traffic summary cases, and we expect full implementation in early 2011.



# Philadelphia Traffic Court

## Philadelphia Traffic Court - 2010 Accomplishments

One of the major responsibilities of the Philadelphia Traffic Court is the collection and disbursement of fines and fees from citations that have been issued in the City of Philadelphia. In Calendar Year 2010, Traffic Court provided the First Judicial District (FJD) with approximately \$4 million from fees collected from citations. In addition, the Court disbursed \$12 million to the Commonwealth of Pennsylvania, \$8.9 million to the City of Philadelphia, and \$4 million to outside agencies. Each fiscal year, Traffic Court disbursements amount to six times as much as its annual \$5.3 million budget.

These disbursements were accomplished despite a 21% decrease in citation issuance in 2010. The decline tracks with a trend of decreases for almost every year over the last decade. The Philadelphia Police Department issued an historic low of 155,000 citations in Calendar Year 2010. This is drastically lower than previous years' citation issuance. For example, citation issuance in 2002 was more than twice that at 354,000. Farther back, citation issuance averaged 450,000 plus citations per year during the years from 1996 to 2000.

Despite an all time low in ticket issuance, the court surpassed the collection amount threshold for revenue sharing set forth in a Memorandum of Understanding (MOU) between the FJD and the City Finance Department. As provided in the MOU, the baseline number for the revenue distributed to the City is \$8,764,835. When that threshold is exceeded, the court earns a portion of the additional funds. In Fiscal Year 2010, the Court distributed \$8,886,715.65, exceeding the baseline City disbursement number by \$121,880.65. The FJD realized an additional \$40,220.61 in this revenue sharing program.

The court escheats money to the City of Philadelphia for refund checks from the court that are not cashed by defendants. These amounted to an additional \$880,000 disbursement to the City Revenue Department, over and above the \$8.9 million identified above.

Throughout 2010, the major focus of the court was implementation of electronic citations. This effort included: 1) direct interaction with Police Commissioner Ramsey, who pledged his full cooperation; 2) developing the Philadelphia police version of the electronic citation, in conjunction with the Police; 3) hiring the firm of TEG, Inc. to work with the court and the Police Department to facilitate the implementation of the electronic citation; 4) working with the City of Philadelphia Department of Technology which provided the program with ports (secure highway for information to travel); 5) coordinating the State Police and Philadelphia Police to begin training the Philadelphia Police officers who will work with the State Police in the operation of system software; and 6) funding the purchase of hardware (printer) and

overseeing its installation in the vehicles of the 7<sup>th</sup> Police District chosen for the pilot program. Due to the lack of funding available to the Police Department, Traffic Court secured the funds necessary to purchase three servers to be housed in the Police Administration Building. These are necessary to operate the electronic citation TRACS software. The court expects that city-wide implementation will be completed by the middle of Calendar Year 2012.

The court continues in its belief, as stated in last year's report, that the use of the electronic citation will provide police with an effective tool to make car stops shorter, safer, and more accurate. Statistics show an immediate increase in citation issuance when electronic citations have been introduced.

The electronic citation program will pave the way for the development and implementation for the Philadelphia Police Department's Forms 48 and 48-A, which will streamline operations for Municipal Court.

Highlights of some Traffic Court Calendar Year 2010 efforts follow:

#### **Philadelphia Police Issues:**

Meetings were conducted with Police Commissioner Ramsey to discuss several issues regarding the Philadelphia Police Department. First, as stated previously, the Traffic Court discussed electronic citations with Commissioner Ramsey, and the court received his full cooperation. Second, the court provided the Commissioner with information that at some car stops, the Philadelphia Police are not always arresting Traffic Court scofflaws who have current warrants. A report was developed and will be distributed to the Philadelphia Police Department on a regular basis.

Furthermore, the court created a monthly report that lists defendants who, despite having Live Stop-qualifying citations issued, were able to somehow keep their vehicles from being impounded as called for in the Live Stop Program. This report is sent to the Philadelphia Police department and Pennsylvania State Troopers.

Based on discussions with the Philadelphia Police department, the court prepared a report of trucking companies that have outstanding default amounts with the court. This report will be utilized by the Philadelphia Police Truck Enforcement Unit and the PA State Police in order to impound, pursuant to law, any truck in the company's fleet that appears on the report.

#### **Capital Recovery Systems (Collection Initiative):**

In the court's constant effort to enhance its collections process, the court introduced the Capital Recovery Systems (CRS) to its vendor, ACS. CRS is a full-service receivables management and debit collection agency. CRS is equipped with the latest state-of-the-art technology and

equipment needed to successfully locate, contact and collect from defendants that are currently in default status with the court. The CRS service includes tracking delinquent defendants' credit history. If defendants files for any type of credit (i.e. mortgage or credit card) CRS is alerted by the credit reporting agency with the defendants' updated information. CRS does not collect its fee from the defendant until the total default amount is paid to the court. As of February 1, 2011, ACS is submitting 5,000 entities to CRS to ascertain the effectiveness of this collection agency.

#### **Amnesty Bill:**

The court worked with PA Senator Stack's office to create an amnesty bill. In the language of the bill, Phase One has been completed. The court is awaiting direction from Senator Stack to begin Phase Two, which is to identify and implement the programs between the court and the Pennsylvania Department of Transportation. If the amnesty Bill is passed, a large population of the citizens of Philadelphia with suspended driving privileges will be permitted to have their driving privileges restored upon full payment of any default amounts.

#### **Pretrial Unit:**

Traffic Court continued to fund 10 Pretrial Unit employees, including their salary and fringe benefits. These employees serve warrants on behalf of the Traffic court and Domestic Relations Division. In addition, the court appointed an employee to act as the liaison between the court and the Pretrial Unit in order to track and execute warrants more efficiently.

#### **Personal Service Unit:**

The court has earmarked \$200,000 in funding and is developing an RFP for a personal service contract whose primary function will be to address filed citations, thus allowing the court to schedule these citations for hearings, pursuant to the *Pennsylvania Rules of Criminal Procedure*. In addition, the Personal Service Unit will also address outstanding financial issues and begin the scheduling of financial determination hearings. These hearings will re-evaluate the ability of defendants, on current payment plans, to increase their monthly payment based on their current financial status.

#### **Supervisor Training Program:**

The court created a training manual with bullet-style listings of the job responsibilities for each unit on the organizational chart. As part of the training program, supervisors conducted hands-on training in the unit for two hours per-day for two weeks. A 20-week training schedule was developed that allowed for five managers to be trained in multiple units within the court. Training started on September 28, 2009 and was completed on April 26, 2010.

## Office of the Court Administrator

The Court Administrator is the highest non-judicial leadership position in the First Judicial District. The position was created in 1996, when the Supreme Court of Pennsylvania, in reorganizing the FJD established the Administrative Governing Board (AGB). The Office of the Court Administrator was established to complement the Board and carry out their directives, to propose solutions to problems and innovative ideas for improvements, and to oversee the day-to-day management of the District. In July 2006, David C. Lawrence was appointed as the FJD Court Administrator.

There are three groups of individuals reporting directly to the Court Administrator: Deputy Court Administrators; Directors; and Senior Staff Advisors. The Office of the Court Administrator provides centralized management for the major service centers that affect the work of the courts throughout the District, and coordinates the ministerial activities of Deputy Court Administrators (DCA) located in specific courts and divisions of the FJD.

### Deputy Court Administrators

One Chief Deputy Court Administrator heads the 12 DCA positions. Four are concerned with cross-court services: 1) Human Resources; 2) Financial Services; 3) Court Reporter and Interpreter Services; and 4) Legal Services. Eight DCA positions have responsibilities focused on the specific divisions of the courts in which they are located, and these are listed below (Two DCAs are assigned to the Juvenile Branch):

- Common Pleas Family Division Juvenile Branch;
- Common Pleas Family Division Domestic Relations Branch;
- Common Pleas Trial Division Civil Section;
- Common Pleas Trial Division Criminal Section;
- Municipal Court Civil Division;
- Municipal Court Criminal Division; and
- Traffic Court.

While the DCAs assigned throughout the courts report to the Court Administrator, they must also work very closely and respond to the direction of their respective President and Administrative Judges. This dual organizational scheme guarantees individual courts and divisions the benefits of the services of a Deputy Court Administrator and at the same time ensures that their operations are coordinated as key components of the centralized FJD management structure through the Office of the Court Administrator.

## **Directors**

In addition to Deputy Court Administrators, the Court Administrator also employs Directors to oversee operational support services. These include: 1) Data Processing and Management Information Services (MIS) concerned with technology, including the FJD Internet presence and Intranet page; 2) Administrative Services, including Buildings and Facilities; and 3) the Procurement Department with purchasing and contractual services expertise.

## **Cross-Court Services**

A wide array of services is managed by the Office of the Court Administrator, and these are summarized below.

The FJD Human Resources Office serves the leaders and employees of the courts through the management of positions, policy improvement, testing, training, and employee compensation and benefits. Data Processing manages and maintains the court mainframe and PC information systems, including a Wide Area Network (WAN) connecting about 3,000 PCs. Court Reporting and Interpreter Services are provided throughout the District. The in-house Procurement Department ensures that the courts engage the most efficient system and the most economical approach to the purchase of equipment, services, and leased space. The Office of Administrative Services is responsible for the requisition of materials and coordination of maintenance and other services, largely through the Building and Facilities Department charged with upkeep, maintenance, and renovations of various court-occupied spaces. The Financial Services Office provides the Court Administrator and other leaders with valuable information needed to support sound management decisions, offers links with other branches of government and funding sources, and responds to the directives of the Court Administrator. The Deputy Court Administrator for Legal Services responds to litigation and all legal matters relevant to the administration of the business of the court.

## **Administrative Services**

Administrative Services provides a variety of support services throughout the First Judicial District. A primary area of concentration is maintenance and facility management. Coordination is provided for maintenance, renovation, construction, and cleaning services. Complete electrical, carpentry, air conditioning, painting, mill shop, cabling and moving services are provided.

Administrative Services provides planning, requisition preparation, and liaison services with the City of Philadelphia various departments, including the Department of Public Property for facility-related issues and the Division of Technology Communications Division for FJD telecommunications requirements. In addition to the installation and maintenance of telephone equipment, administration is provided for the over 2,000 telephone mail boxes now assigned to

the FJD. Administrative Services also performs monthly testing and required maintenance of the duress alarm system.

Under Administrative Services, the Microfilm Unit provides complete filming, developing, and computerized access for court records.

Administrative Services maintains judicial chambers, telephone, vehicle and parking databases and generates reports for management as needed. Additional duties include arranging with garages for judicial parking and maintaining parking records, maintaining the list of City vehicles assigned to the FJD, and performing minor repairs on courtroom sound systems.

The department processes and provides routing documentation for purchase requisitions submitted by the Office of the President Judge and the Trial Division.

### ***Procurement Department***

The Procurement Unit, located in 368 City Hall, continually strives to uphold an established and uncompromising Mission Statement to ensure that all *customers'* needs are satisfactorily addressed with congenial and attentive customer service through expeditious delivery of quality goods and services at the most economic prices available. In realizing its objectives, the Procurement Unit administers the First Judicial District's program of purchasing of supplies, equipment, and services as well as monitoring the District's property management through the performance of the Inventory Control Division of the Unit. The Unit is also responsible for the negotiation, implementation, and on-going administration of contracts, licensing, and lease agreements. In addition, throughout 2010, the Procurement Unit routinely extended its established cost saving measures, economical protocol, and expertise to fund on-going technology enhancements, training, and space improvements throughout the FJD. Also during 2010, the Procurement Unit staff served as active members on various project management teams for many FJD endeavors and/or provided auxiliary services to the respective teams in all the courts and divisions throughout the First Judicial District.

In the past, the Procurement Department has helped by supplying the underlying support for many of the new projects and improvements implemented in the District. Listed below are examples of only some of the activities and initiatives in which the department has been involved:

- Family Court's Truancy Project
- The Commonwealth's Common Pleas Case Management System ("CPCMS")
- Additional enhancements to Municipal Court's Electronic Filing Case Management system ("CLAIMS")
- Technology enhancements and new equipment court wide, and in the FJD technology hubs, Data Processing and MIS Departments

- Continued success of the annual Juror Appreciation Day
- Continued success of the annual Pro Bono Awards Program
- Feasibility research and investigations related to divisional tenancy needs both current and projected
- Assistance to several City agencies for various projects: software enhancements, equipment, supplies, and contracting for supplemental manpower
- Assistance with transitioning into the new security protocol implemented by the City of Philadelphia to all applicable facilities as well as the purchase and installation of various state of the art x-ray and metal detector machines
- Updated and improved Video Conferencing System
- Provided assistance with obtaining some requisite materials and supplies for the FJD's participation in the U.S. Marshall's Fugitive Safe Surrender Program
- Research, recommendations, and purchasing of materials, supplies, and/or services for Civil Division Mortgage Foreclosure Program and the Civil E-Filing Program
- Cooperatively coordinated with the FJD's Administrative Services Department as well as Management Information Services for the successful design and construction of the new Office of Court Compliance office space.

## ***Court Reporter and Interpreter Services***

### ***Mission Statement***

*The Court Reporter, Interpreter and Digital Recording Administration is committed to providing the legal community and the public-at-large with service of the highest quality in the areas of court reporting, interpreter services, record reproduction and digital recording. We accept this charge and pledge to perform our duties with courtesy, efficiency and professionalism.*

### ***Overview***

The office of Court Reporter, Interpreter and Digital Recording Administration comprises five service centers, each of which provides a myriad of services to the public, legal community and various divisions within the court system.

The five service centers are: 1.) Court Reporting Services; 2.) Interpreter Services; 3.) Record Reproduction Center, 4.) the CRS system and 5.) the Digital Recording Program. The Court Reporter, Interpreter and Digital Recording Administration employs a total staff of 133 employees. The Administration provides services to **122** courtrooms within the FJD Court Reporting Services.

Court reporters are highly trained and skilled professionals who, through the use of stenographic machines and computer-aided transcription, preserve the verbatim record of all

proceedings in the First Judicial District (FJD), with the exception of those proceedings held in Philadelphia Traffic Court and those preserved through the use of Digital Audio Recording. Court reporting services are provided to the Common Pleas and Municipal Courts and their constituent divisions.

In the Court of Common Pleas, court reporters staff courtrooms housed in Family Court, Orphans' Court and the various Trial Divisions. These divisions handle a wide range of matters including Juvenile Delinquency and Dependency, Adoptions, Domestic Relations, Criminal, Civil and Probate cases. Grand jury matters, official ceremonies and various administrative events also fall in the purview of court reporters' duties where the preservation of a record is required. Reporters also record testimony in the Civil and Criminal Divisions of the Municipal Court.

### ***Court Reporter Statistics/Real-time Transcription***

As of the month of April 2011, the Court Reporter, Interpreter and Digital Recording Administration employs a total staff of 92 full-time court reporters. The Court Reporters provide services to every FJD courtroom, in each of the divisions outlined above, on a daily basis. Their numbers include Registered Merit Reporters (RMR) and Registered Professional Reporters (RPR) who have achieved excellence in stenographic writing proficiency.

Included in that total are 24 Court Reporter Trainees who possess varied levels of experience and have attained, or are working towards attaining, their full certification. The First Judicial District's Court Reporter Trainee Program is the first of its kind in the country. Students who have recently graduated from court reporting school, and who fulfill a strict set of requirements, are afforded the opportunity to become full-time employees with the Court Reporter Division. Their training is on-the-job, and specifically tailored to the official courtroom setting, thereby eliminating the challenges which face court reporters transitioning from the freelance arena to the courtroom setting. *Per diem* court reporters include retired and/or freelance reporters who staff courtrooms as their own schedule permits. Due to budget constraints, *per diem* court reporters are utilized sparingly in the courtrooms.

Real-time transcription involves the simultaneous translation and display of court proceedings utilizing computer-aided transcription. Certified Real-time Reporters are Registered Merit Reporters or Registered Professional Reporters who possess the knowledge, skill and ability to accurately and immediately translate spoken testimony into the written word. The court reporters' translated notes are simultaneously displayed on computer monitors during live proceedings within the courtroom. Real-time Reporters provide a valuable service to the hard-of-hearing and deaf individuals who otherwise would not be able to participate in the judicial process within the courtroom environment. In such instances, the deaf or hard-of-hearing individual utilizes computer monitors situated in the courtroom so that they can read an accurate written version of the live oral testimony as it occurs. Those real-time writers who are not

certified continue to work towards their certification. Eleven court reporters on staff are Certified Real-time Reporters and four are Real-time Capable Reporters (those who write real-time but are not yet certified.)

The Court Reporter Division of the First Judicial District of Pennsylvania employs court reporters who are considered to be the most proficient in their field.

### ***Digital Recording Program***

The Court Reporter and Interpreter Division instituted the Digital Recording Program in 2003 in response to a general shortage of highly-qualified stenographic court reporters. As of April 2011, the Digital Recording Program employs three administrative staff members, as well as a staff of 13 full-time and 12 part-time Digital Recording Technicians (DRTs). The Digital Recording Technicians (DRTS) monitor the recording of court proceedings through the use of FTR Gold Recording software. Additionally, Digital Recording Technicians create detailed log notes that are utilized by the digital recording transcriptionists to ensure accurate transcription of audio files. The Digital Recording Program staffs courtrooms within the Domestic Relations Division, Juvenile Division, the Youth Study Center and all Violation of Probation hearings.

All computers staffed by Digital Recording Technicians are connected to a central server. As the recordings and log notes are being produced, the audio files and log note files are automatically sent to a central server for storage and future retrieval. Prior to this advancement, each day's proceedings would be stored on a disk. The central server technology has greatly reduced costs as well as physical storage needs.

The technology involved in the maintenance of the Digital Recording Program continues to evolve and grow at a quick pace, and has begun to serve functions within the Court Reporter, Interpreter and Digital Recording Administration which are not directly related to digital recording.

The FJD central storage server provides storage for all raw notes created by court reporters. The court reporters transfer their non-transcribed raw notes onto a flash drive. The Administrative Tech then transfers these files from the flash drive onto a central server which contains a folder for each court reporter. In the event of a lengthy sickness, death or termination of a court reporter, if for some reason the court reporter cannot produce the requested notes of testimony, technicians are able to access this raw note storage server, gain access to the reporter's notes and a transcript can then be produced, eliminating the time-consuming and often frustrating job of tracking an unavailable court reporter's raw notes of testimony.

The Administrative Staff of the Digital Recording Program, though not directly responsible for the maintenance of digital recording computers installed in other areas of the

City, also voluntarily administers troubleshooting support services to the digital recording programs which have been implemented in other areas of the Philadelphia Court System, including the Civil Administration of the Municipal Courts and the Mental Health Hearing Program, as well as offering support to the Berks County Court Administration in Reading, Pennsylvania.

Unlike transcripts produced by individual court reporters, the Digital Recording Program employs a total staff of **25** freelance and in-house DRT transcriptionists. All transcripts are processed and monitored by the Transcript Coordinator, who follows the progression of completion of a transcript from processing of transcript order forms to delivery to the ordering party. In the year 2010, approximately 2,000 transcripts were produced by the Digital Recording Program.

### ***Court Reporting System (CRS)***

The Court Reporting System (CRS) provides electronic archival and retrieval services for transcripts produced by court reporters. All of the transcripts produced by court reporters or through digital recording are stored on the CRS database. Presently the database holds 201,356 transcripts, which amounts to 6,901,627 pages produced since 2005. ASCII disks that contain completed transcripts are brought to the Record Reproduction Center, date stamped by the staff, and given to the CRS Technicians. The CRS Technicians place the notes of testimony on the CRS system, which is a central transcript storage server. This server is accessible by judges, assistant district attorneys and public defenders who enjoy the ease of retrieving and printing completed transcripts from their own offices. They or their staff may also save copies to utilize for drafting opinions. The CRS eliminates the printing of transcripts, thereby eliminating paper costs, attendant copy machine costs, and most importantly storage costs to the FJD. The CRS archival database was created by the talented Data Processing employees of the FJD. The cost of software and future storage costs amounts to thousands of dollars saved per year.

Presently being developed is a new program known as TOS (Transcript Ordering System.) The Transcript Ordering System will allow ordering parties to pay for their transcripts through the use of credit card and/or debit card transactions. Upon payment, the TOS will automatically send a copy of a transcript to the ordering party.

### ***Record Reproduction Center***

The Record Reproduction Center provides varied services to the Court Reporter Administration as well as all other divisions of the FJD court system. As it relates to Court Reporter Administration, the Center's primary function is to insure the efficient reproduction of all transcripts produced by court reporters and digital recording transcribers. The Record

Reproduction Center also prints notes of testimony for indigent parties and private attorneys who do not have access to the CRS system (See Court Reporting System (CRS) above).

In addition to the Record Reproduction Center functions, as they relate to court reporting services, the Center also provides the following services to the FJD, as a whole:

- Provides printing services to all the constituent divisions and departments of the Common Pleas, Municipal and Traffic Court systems.
- Archives and retrieves raw steno notes and other court-related materials from the Iron Mountain Storage facility.
- Assists judges, attorneys and private citizens regarding printing projects which are directly applicable to the functions of the court system as a whole.
- Acts as a conduit with regard to communication between the FJD and private attorneys, defendants and pro se litigants.

### ***Criminal Appeals***

In 2010, the Court Reporter, Interpreter and Digital Recording Administration received requests for transcripts in approximately 2,400 appeals. The Criminal Appeals Database was created as a tracking database to ensure that transcripts were produced timely and efficiently. The Appeals database keeps track of all criminal appeals that arrive via fax and e-mail. When a request for transcript is first received by Administration, the accuracy of information is verified and entered into an Access spreadsheet with all pertinent information. An email is then sent to the court reporter to notify him/her that an appeal has been ordered and said reporter has 30 days to complete the notes.

Reporters are required to notify the Criminal Appeals Database technician if there is a discrepancy in information and/or the case was not held. Once transcription of the notes is completed, reporters fill out a pink distribution sheet (used to delineate appeals from non-appeals). The transcript and the pink distribution sheet are forwarded to the Record Reproduction Center, they are then uploaded to the CRS archival database, and the distribution sheet is returned to the technician, who marks that case as completed on the Access spreadsheet. Reports are created for the deputy court administrator's review and action. Reports are distributed quarterly to reporters for their review and records as well.

### ***Civil Appeals***

Similar to the Criminal Appeals database, the Civil Appeals database also stores requests for transcripts from private attorneys and litigants in Common Pleas Civil Trial Division cases. The timely transcription of civil trial transcripts to judges, appellate courts and private attorneys is a

very important function, and is detailed and followed carefully by the database technician. Reports are created for the deputy court administrator's review and action. Reports are distributed quarterly to reporters for their review and records as well.

### ***Interpreter Services***

The Interpreter Division of the First Judicial District remains in the forefront of the field by insuring, to the greatest extent possible, equal access to justice for those who are deaf or of Limited English Proficiency (LEP).

Toward that end, a database is maintained to record and track interpreter assignments, and to monitor costs. Accordingly, controls are in place to avoid unnecessary expenses and provide greater scheduling efficiency. Part of these controls are weekly calendars which are sent to the District Attorney, the Public Defender, the Chiefs of Municipal and Common Pleas courtroom operations, as well MC Civil and both Family Courts. These calendars are provided to confirm hearings for the upcoming week for which an interpreter has been scheduled, and to cancel interpreters for any hearing that will not go forward.

The FJD has been acclaimed for a progressive and proactive stance towards insuring due process for persons with linguistic or auditory challenges. To further enhance service quality, training seminars have been conducted for interpreters so they can become more familiar with legal terminology specific to each court as well as instruction regarding professional and ethical standards. The AOPC has set in place a certification roster. The interpreter division is adamant about providing qualified individuals, and to that end is providing assistance to interpreters through training to become certified so that in the near future certified interpreters will provide services in all of our courtrooms.

The Interpreter Division has helped litigants meaningfully participate in the judicial process by providing interpreter services in over 60 languages. For the calendar year 2010, more than \$533,800 was spent for on-site interpretation, as well as special assignments and text translations.

The greatest tool in tracking Interpreter requests has been the establishment of the Interpreter database. This schedule is an at-a-glance calendar that lists all interpreter requests by date, thereby allowing the reader so see where an Interpreter is and what time he should have arrived. Having this schedule on the Access format also provides great assistance when gleaning information for the yearly cost statistics. Data can be queried and sorted according to cost, language or courtroom.

## ***Data Processing***

Data Processing manages and maintains the court mainframe and PC information systems, including a Wide Area Network (WAN) connecting about 3,000 PCs. The Department, including the MIS Unit, has been directly involved in the utilization of automation that has been increasing in terms of size and variety of applications over the last 20 years. During 2009, the Data Processing Department played an important role in the following:

### ***Electronic Filing***

Electronic Filing in the Trial Division-Civil became mandatory January 2009. Case initiations, subsequent pleadings, motion filings and discovery hearing requests were all done through the e-filing system. Credit card payments were also processed for these filings via the system.

Beginning in November of 2009, judicial orders were sent out via the electronic filing system to those parties who were registered. Significant savings were realized in postage as well as printer and manpower efficiencies. Through March 16, 2010 nearly \$80,000 in postage costs were saved.

As an indicator for future savings, Trial Scheduling Notices began to be sent out via the electronic filing system to registered parties on March 6 2010. Over the following six days, nearly \$1,200 was realized in postage savings.

Along with dollar savings, efficiencies were gained in terms of manpower. The Prothonotary and Civil Administration clerks' tasks were halved. Responsibilities that had included data entry and its review were now limited to only review of data already entered into the system by filers. The Prothonotary Judgment Index Unit also underwent significant change. Each month, the unit would receive the printed judgment index for CP Civil, MC Civil, and Tax Liens, and a printed divorce index. In 2009, the unit began receiving electronic listings with search capability. These 'lists' are now accessed via the court's intranet.

### ***Other Advances***

Relying sole on in-house IT staff:

- 2010 marked the sixth year that electronic pay statements for direct deposit employees have been saving paper and handling costs
- Further improvements will be made to the Court Reporter Transcript Ordering System (CRS) that provides users with instantaneous electronic access to transcribed Notes of Testimony so that they can be ordered and subsequently viewed via the internet
- Subpoenas will be available for purchase over the Internet
- A document management system for the FJD Human Resources department will be in place

### ***Mainframe Elimination***

Three systems remain active on the mainframe: 1) Jury Selection; 2) Juvenile; and 3) MC Civil Judgments. Three projects related to these applications are underway and expected to be completed during the next fiscal year (FY11).

- Jury selection – Installation of a new system and an online juror questionnaire expect to reduce costs through more efficient juror utilization
- Centralizing Juvenile Dependency and Delinquency functions in the statewide court system and the migration to JCMS for Juvenile Probation removes the major application running on the mainframe
- Improved efficiencies will be gained in by all three systems resulting in discontinuing the mainframe computer system. This will result in cost savings in space, energy, and maintenance.

### ***Juvenile Improvements***

- Many of JACS reports are now available on the Intranet and are emailed saving associated expenditures for paper and printing cartridges.
- The Truancy system has been modified to generate new reports, screens and Data transfer for the Philadelphian School Board.
- The JACS member query database allows users to query members by Street Address and it assist users in identifying gang members and suspects.

### ***Needed Network and Infrastructure Upgrades***

It has become all too apparent that the aging FJD network, and its associated servers, switches, and PC's need to be replaced. The equipment life-cycle has been stretched over the last two years, and it is now failing. Network upgrades are normal costs inherent to doing the business of the court. More than 60% of the District PCs are more than six-years old. The CJC is a multi-partner building and when the court upgrades systems in the CJC, all the stakeholders benefit.

The current PC replacement schedule has been stretched to six years from the planned four-year term agreed to by the city Department of Technology. In order to stay current, 65% of the District's PCs need to be replaced over the next two years. In addition, 50% of the court production servers are now eight years old; the original plan called for a six-year replacement schedule.

Maintained by the court, the network infrastructure of the Criminal Justice Center and City Hall support a wide variety of city and court functions. This infrastructure is now over ten-years old and needs to be replaced to support new technologies.

The continued savings enjoyed over the last two years of productivity increases are in part dependent on technology that has now reached its end of life cycle. Installation of new equipment would lead to more energy savings. Today's PCs and servers are 30% more efficient than even five-year old machines.

E-filing has produced savings but start-up costs were required for its implementation.

Another project is underway that will reduce the number of printers by installing high-speed networked printers. Savings in the costs of toner cartridges, printer maintenance, and other related cost are anticipated. This project too requires an up-front investment in printers

before cost savings would be seen. Five years ago, the court started a project of replacing individual desktop printers with grouped network printers. Overall maintenance and toner costs were reduced. Unfortunately, with only about 50% of the work completed two years ago, the project was put on hold due to lack of funds.

### ***Office of Human Resources***

The First Judicial District of Pennsylvania Office of Human Resources serves the District through the management of positions; policy review, maintenance, and the enforcement; testing; training; and administration of employee compensation and benefits for the entire FJD personnel compliment of 2,451 full-time and 218 part-time employees. In addition, since Human Resources also has a great deal of contact with the public, the importance of conveying a positive image of the FJD while building and maintaining public trust and confidence continues to remain a priority of this Department.

In pursuit of providing exemplary customer service throughout the District, HR functions include, but are not limited to: administering employee and labor relations; recruitment; applicant processing and testing; appointments; transfers; promotions; and reclassifications. In addition, the office manages payroll administration; benefits coordination and processing; time and attendance management; service connected injuries; maintenance of personnel files; performance appraisal management; training and development; and complaint resolution. Human Resources personnel are also responsible for Title VII investigations; disciplinary appeals; monitoring compliance with employment laws; and maintenance of an automated Human Resource Information System.

As a result of the Human Resources Department wide range of assignments, the Office of Human Resources has been involved with these types of projects in the past::

- Reaching out to the public through the expansion of recruitment efforts, including annual attendance at job fairs promoting job candidate diversity;
- Improved employee relations through completion of a legal and procedural review of personnel policies and presentation of proposed policy revisions to the Administrative Governing Board;
- Training sessions for supervisors and employees in the application of personnel policies;
- Supervisory Training Seminars for all supervisors;
- Continued coordination of welfare-to-work and work study programs;
- Continued coordination of CPR/AED certification;
- Coordination of FJD-wide Training seminars;
- Assistance with maintaining the FJD's Intranet;
- Processing of online Flex Open Enrollment forms and information;
- Coordinated processing through the City for online appointments and separations;
- Coordinated processing through the City Administration for online identification cards;
- Continued coordination with the City OHR for an online HRIS System;

- Assist the City Administration in implementing and maintaining City Hall security;
- Maintenance of a Rapid Run Report Writer throughout the District;
- Development and implementation of new reports for various departments; and
- Continued maintenance of ABRA.

## Statistics

### 2010 CIVIL INVENTORY

**New Filings:** Including arbitration matters, the Trial Division – Civil received a total of 38,025 new filings during calendar year 2010.

**Dispositions:** Total civil dispositions for 2010 equaled 39,428. Excluding arbitration matters, the Court disposed of 22,841 civil records.

**Dispositions Per Trial Judge:** There were twenty-five (25) commissioned judges and eight (8) part-time senior judges assigned to the Trial Division – Civil during calendar year 2010. For each judge assigned to the program there were 57 non-arbitration dispositions per month. This statistical analysis supports and confirms the strong judicial leadership, the high level of judicial productivity and the commitment of the judges to the goals of the various case management programs.

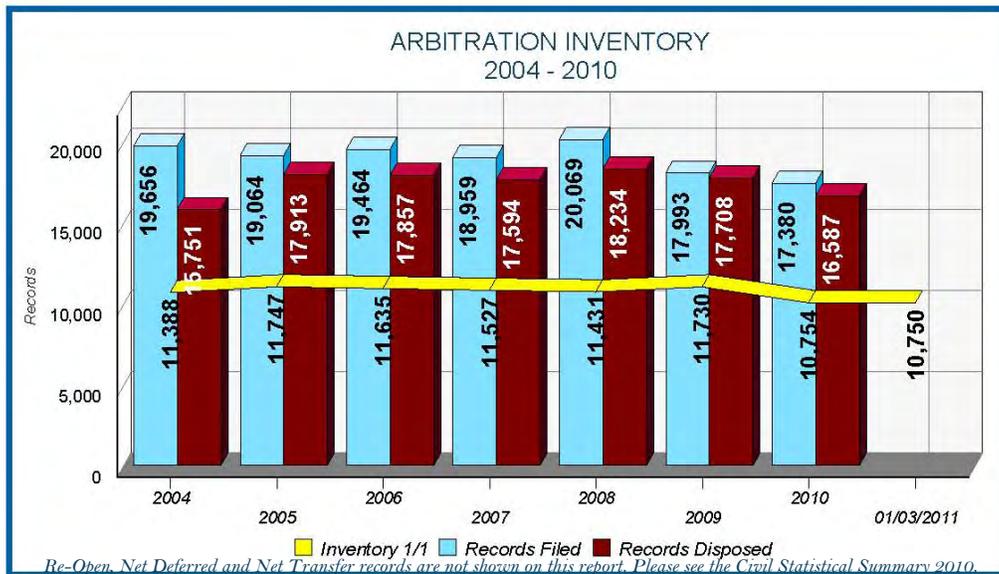
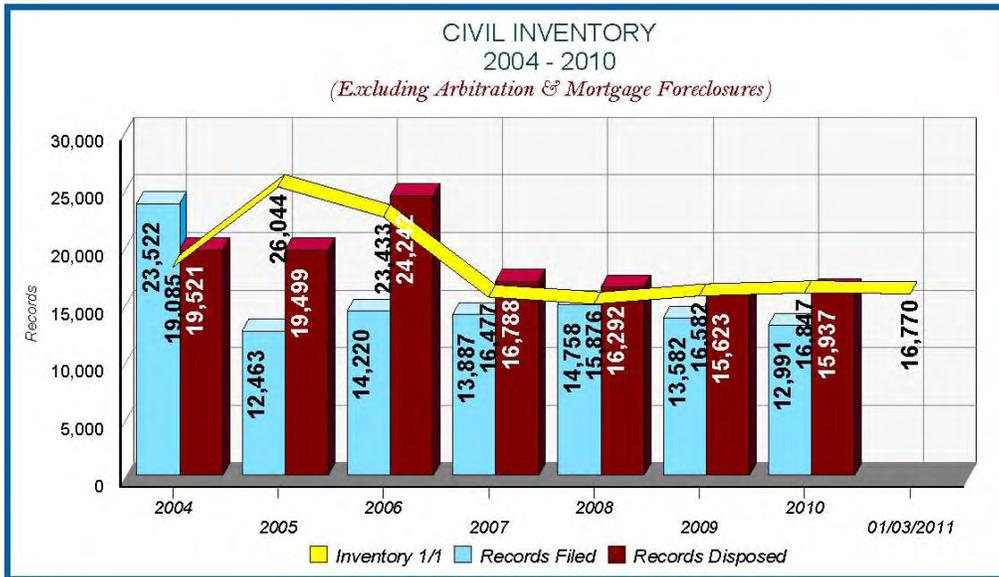
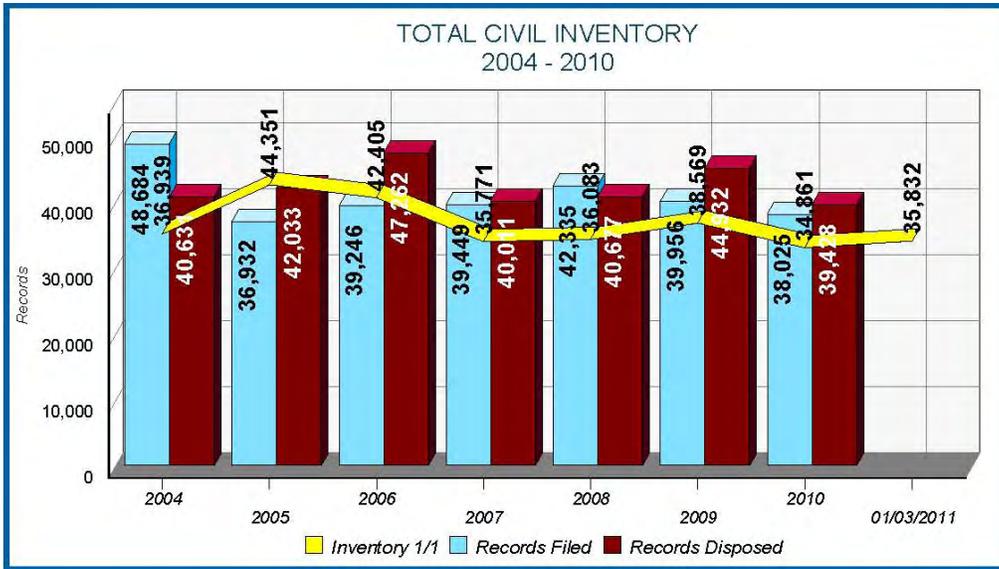
**Records Pending:** Civil records pending as of December 31, 2010 totaled 35,832:

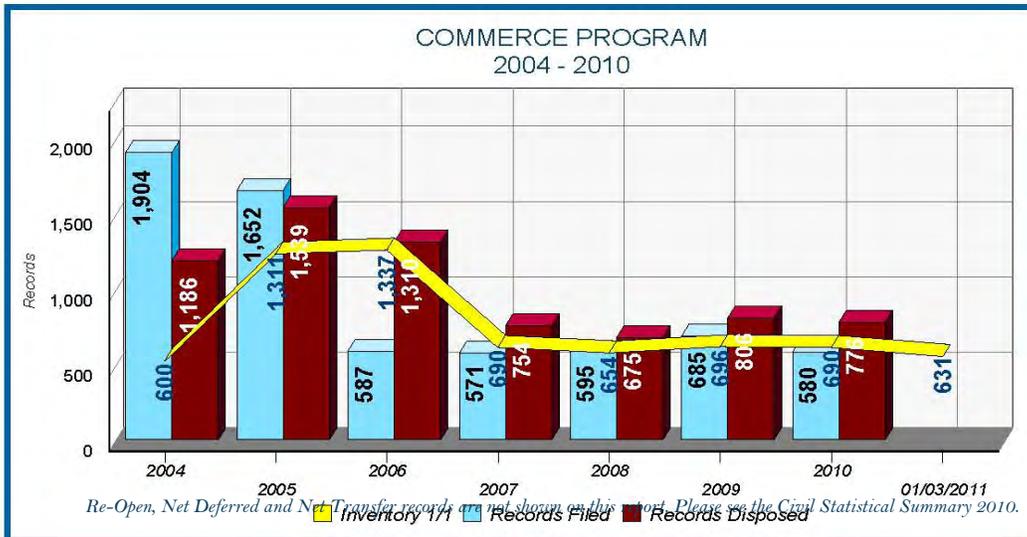
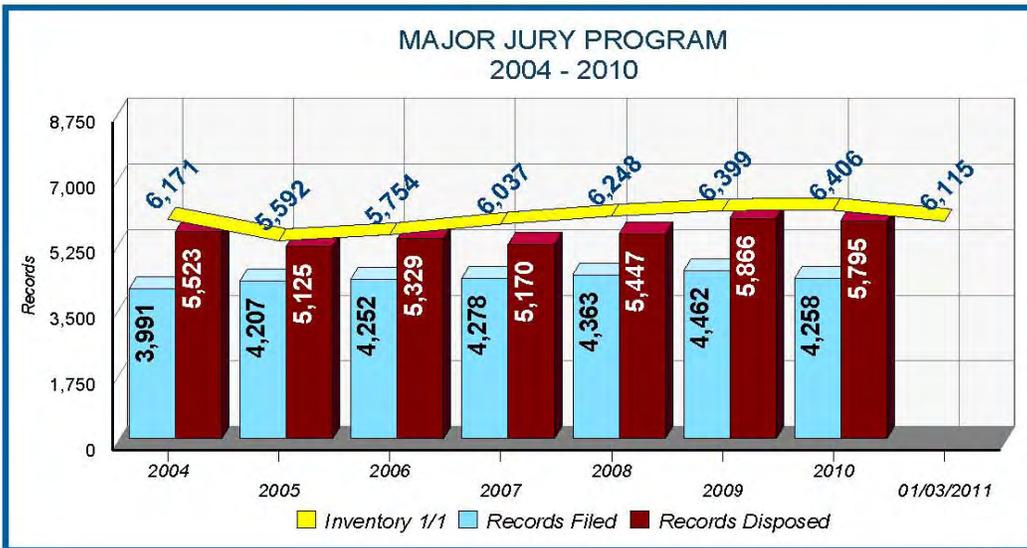
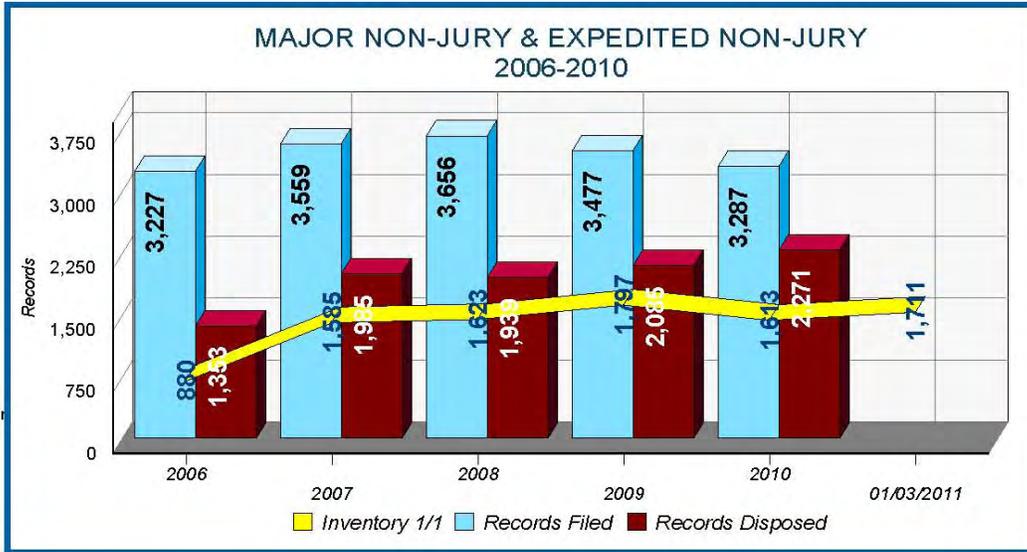
<b>Trial Division - Civil Program</b>	<b>Civil Records Pending</b>	<b>Percent of Inventory</b>
<b>Arbitration</b>	10,750	30%
<b>Mortgage Foreclosure</b>	8,312	23%
<b>Complex Litigation</b>	7,773	22%
<b>Major Jury Program</b>	6,115	17%
<b>Programs Assigned to Motions Judges</b>	1,375	4%
<b>Governmental and Administrative Agencies</b>	876	2%
<b>Commerce</b>	631	2%
<b>Total</b>	<b>35,832</b>	<b>100%</b>

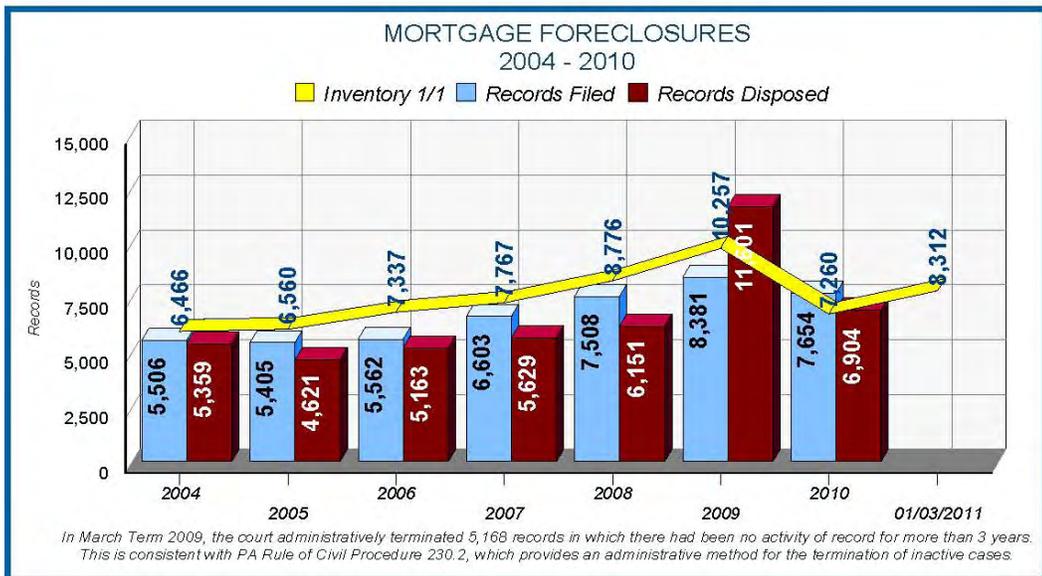
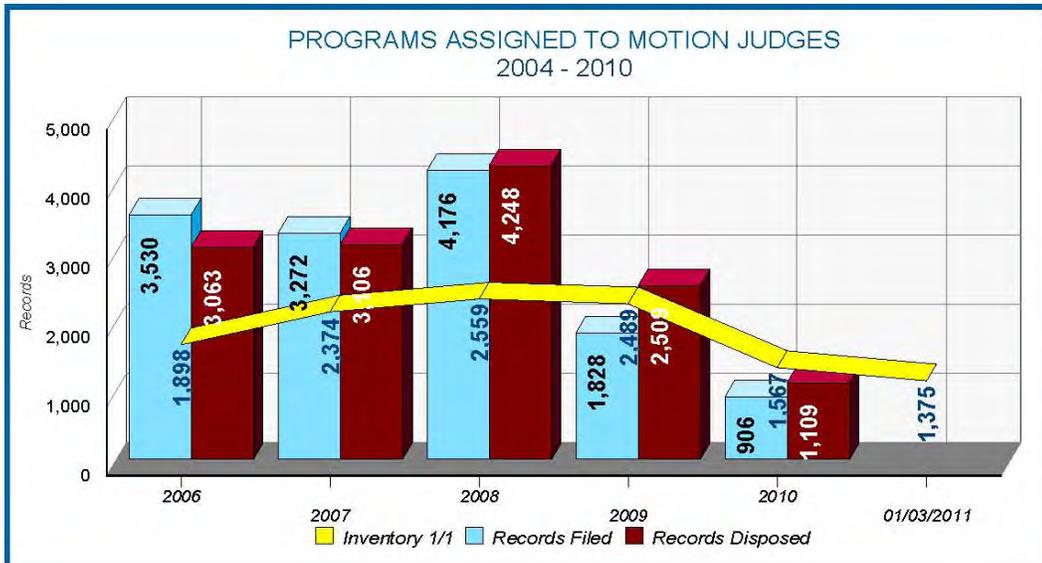
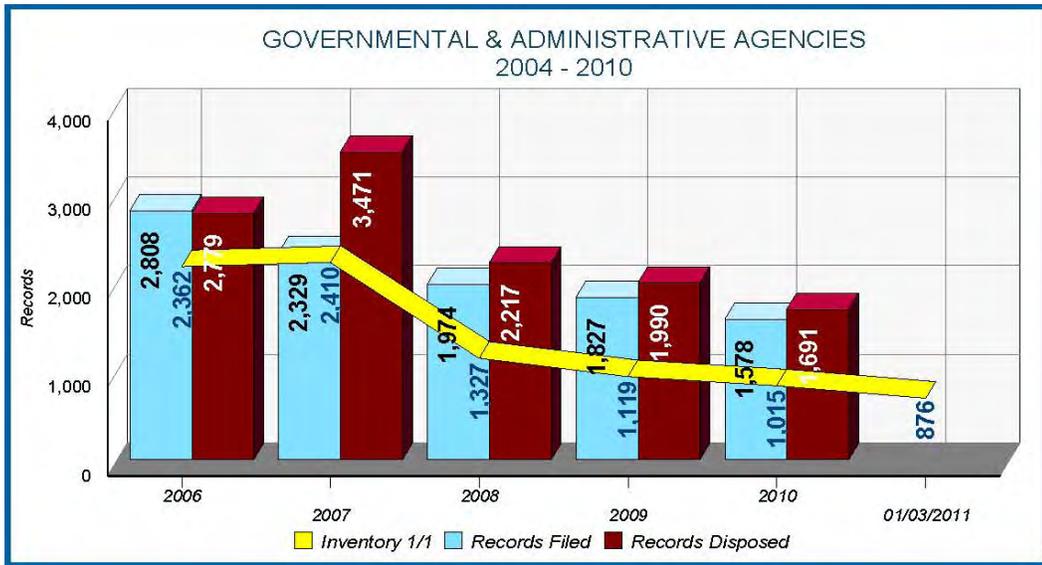
### TRIALS

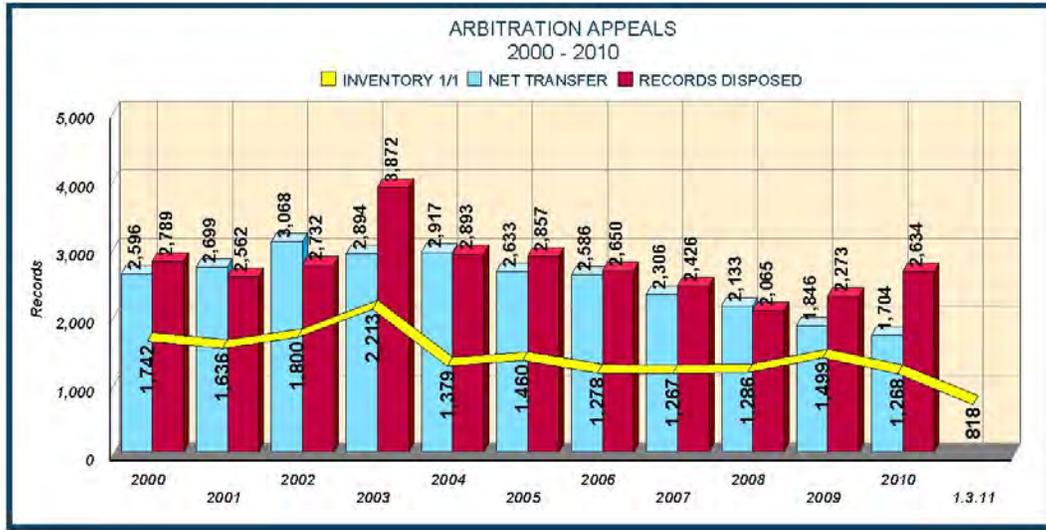
There were 391 Jury Trials and 312 Non-Jury Trials conducted in the Civil Section of the Trial Division during calendar year 2010.

*In some of the graphs on the following pages, the Re-Opened, Net Deferred and Net Transfer records are not shown. Please see the Civil Statistical Summary 2010. The data was prepared by Deborah Teti of the Department of Information Technology.*









*First Judicial District of PA: Trial Division - Civil*

MEDICAL MALPRACTICE RECORDS

Data as of 1/3/2011

YEAR	FILED	ACTIVE	DISPOSED*	TOTAL PERCENTAGE DISPOSED*	DEFERRED
2010	389	327	61	16%	1
2009	507	313	192	38%	2
2008	568	65	501	88%	2
2007	595	3	590	99.2%	2
2006	589	1	586	99.5%	2
2005	540	1	539	99.8%	0
2004	559	1	558	99.8%	0
2003	572	0	571	99.8%	1
2002	1,352	1	1,351	99.9%	0
2001	1,161	2	1,159	99.8%	0
2000	1,088	1	1,086	99.8%	1

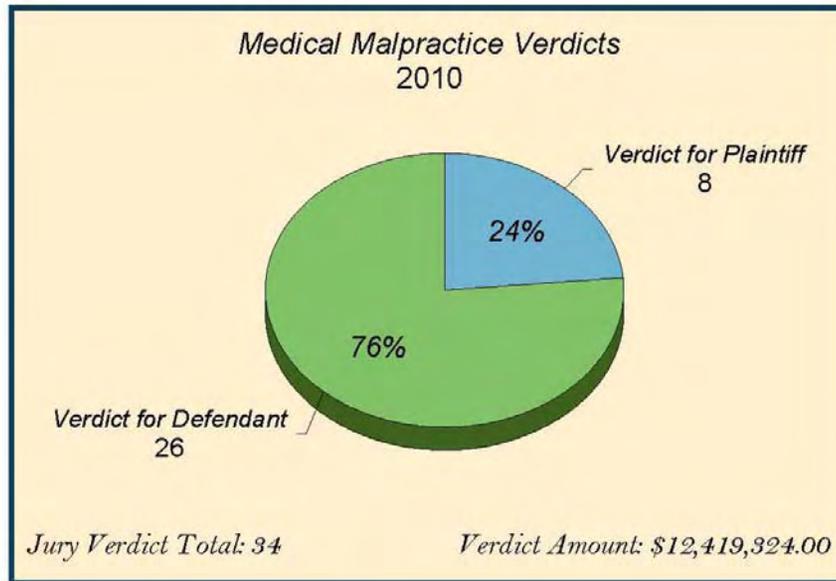
YEAR	MAJOR JURY RECORDS ENTERED	MEDICAL MALPRACTICE RECORDS ENTERED	% OF MEDICAL MALPRACTICE RECORDS ENTERED IN MAJOR JURY
2010	4,258	389	9%
2009	4,462	507	11%
2008	4,363	568	13%
2007	4,278	595	14%
2006	4,252	589	14%
2005	4,207	540	13%
2004	3,991	559	14%
2003	3,886	572	15%
2002	4,726	1,352	29%
2001	4,881	1,161	24%
2000	4,693	1,088	23%

\*All records are not disposed of in the same year. Please see Page 2 for disposition breakdown.

MEDICAL MALPRACTICE RECORDS:  
DISPOSITION / PERCENTAGE BREAKDOWN BY YEAR

*Data as of 1.3.2011*

Year Disposed	2010: Records Filed 389	% Disposed	2009: Records Filed 507	% Disposed	2008: Records Filed 568	% Disposed	2007: Records Filed 595	% Disposed	2006: Records Filed 589	% Disposed	2005: Records Filed 540	% Disposed	2004: Records Filed 559	% Disposed	2003: Records Filed 572	% Disposed	2002: Records Filed 1,352	% Disposed	2001: Records Filed 1,161	% Disposed
2001																			133	11%
2002																	244	18%	226	20%
2003															98	17%	493	37%	464	40%
2004													90	16%	133	23%	424	31%	291	25%
2005											75	14%	107	19%	225	39%	162	12%	25	2%
2006									79	13%	115	21%	270	48%	109	19%	24	1%	14	1.3%
2007							108	18%	115	20%	216	40%	89	16%	4	0.6%	3	0.2%	1	0.1%
2008					91	16%	110	18%	278	47%	126	23%	0	0%	1	0.1%	0	0.0%	2	0.1%
2009			79	16%	123	22%	296	49%	107	18%	7	1%	2	0.1%	1	0.1%	1	0.0%	1	0.1%
2010	61	16%	113	22%	287	50%	76	13%	7	1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	0.1%
Total Disposed	61	16%	192	38%	501	88%	590	99.2%	586	99.5%	539	99.8%	558	99.8%	571	99.8%	1,351	99.9%	1,159	99.8%
Cumulative Year Disposed	2010: Records Filed 389	Cumulative % Disposed	2009: Records Filed 507	Cumulative % Disposed	2008: Records Filed 568	Cumulative % Disposed	2007: Records Filed 595	Cumulative % Disposed	2006: Records Filed 589	Cumulative % Disposed	2005: Records Filed 540	Cumulative % Disposed	2004: Records Filed 559	Cumulative % Disposed	2003: Records Filed 572	Cumulative % Disposed	2002: Records Filed 1,352	Cumulative % Disposed	2001: Records Filed 1,161	Cumulative % Disposed
2001																			133	11%
2002																	244	18%	359	31%
2003															98	17%	737	55%	823	71%
2004													90	16%	231	40%	1,161	86%	1,114	96%
2005										75	14%	197	35%	456	79%	1,323	98%	1,139	98%	
2006								79	13%	190	35%	467	83%	565	99%	1,347	99.6%	1,153	99.3%	
2007							108	18%	194	33%	406	75%	556	99.5%	570	99.8%	1,350	99.8%	1,154	99.4%
2008					123	22%	218	36%	472	80%	532	98%	556	99.5%	570	99.8%	1,350	99.8%	1,156	99.6%
2009			79	16%	501	88%	514	86%	579	98%	539	99.8%	558	99.8%	571	99.8%	1,351	99.9%	1,157	99.7%
2010	61	16%	192	38%	501	88%	590	99.2%	586	99.5%	539	99.8%	558	99.8%	571	99.8%	1,351	99.9%	1,159	99.8%



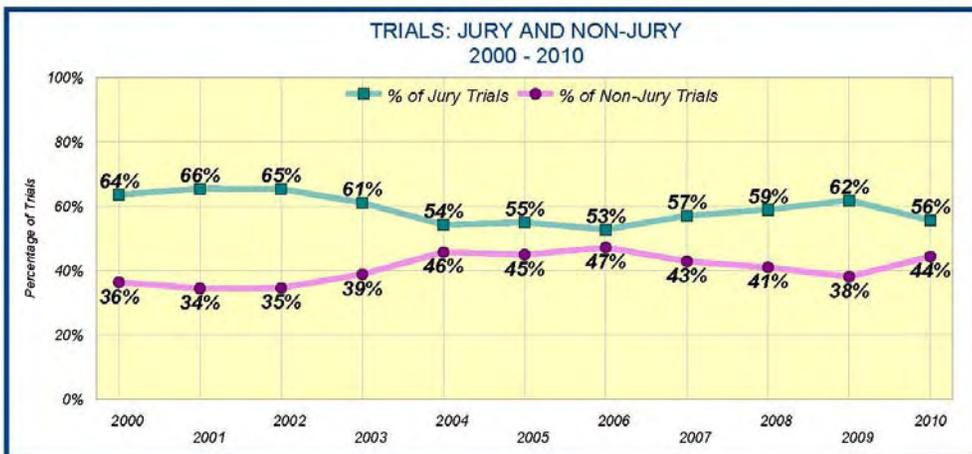
Term	Disposition Type	Number	Amount	Percentage	Disposition Type	Number	Percentage	Jury Totals
January	Verdict for Plaintiff	1	\$750,000.00	25%	Verdict for Defendant	3	75%	4
February	Verdict for Plaintiff	0	\$0.00	0%	Verdict for Defendant	1	100%	1
March	Verdict for Plaintiff	2	\$1,306,491.00	50%	Verdict for Defendant	2	50%	4
April	Verdict for Plaintiff	0	\$0.00	0%	Verdict for Defendant	1	100%	1
May	Verdict for Plaintiff	0	\$0.00	0%	Verdict for Defendant	5	100%	5
June	Verdict for Plaintiff	0	\$174,833.00	0%	Verdict for Defendant	4	100%	4
July	Verdict for Plaintiff	1	\$0.00	33%	Verdict for Defendant	2	67%	3
September	Verdict for Plaintiff	0	\$0.00	0%	Verdict for Defendant	4	100%	4
October	Verdict for Plaintiff	2	\$1,750,000.00	67%	Verdict for Defendant	1	33%	3
November	Verdict for Plaintiff	1	\$3,000,000.00	33%	Verdict for Defendant	2	67%	3
December	Verdict for Plaintiff	1	\$5,168,000.00	50%	Verdict for Defendant	1	50%	2
<b>YTD Total:</b>		<b>8</b>		<b>24%</b>	<b>YTD Total:</b>	<b>26</b>	<b>76%</b>	<b>34</b>
Year to date Verdict Amount:			<b>\$12,149,324.00</b>					

*There were no verdicts during the August term.*

First Judicial District of PA: Trial Division - Civil

TRIALS: JURY & NON-JURY 2000 - 2010

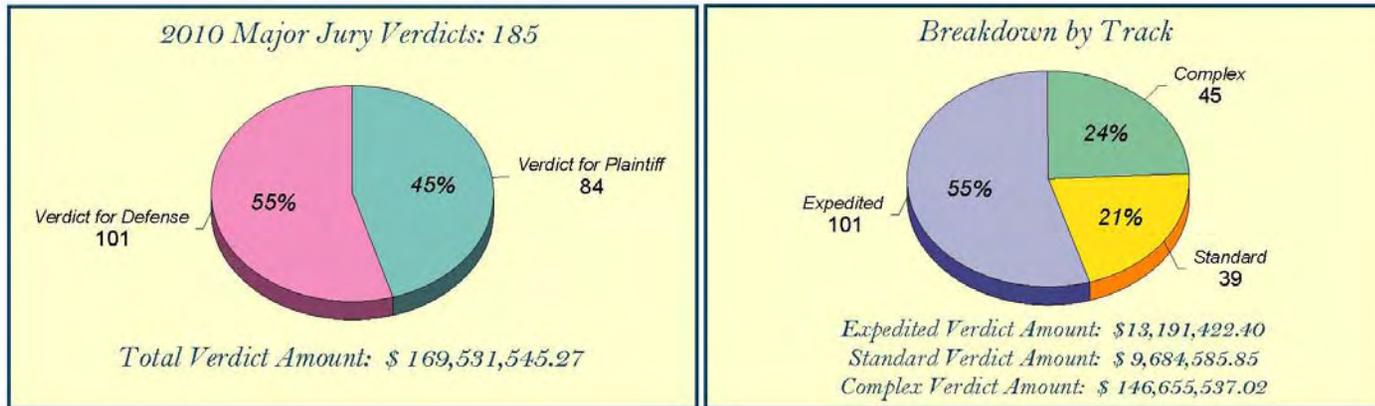
YEAR	Jury Trial	% of Jury Trials	Non-Jury Trial	% of Non-Jury Trials	Total Trials
2000	554	64%	317	36%	871
2001	475	66%	250	34%	725
2002	466	65%	247	35%	713
2003	556	61%	354	39%	910
2004	391	54%	330	46%	721
2005	389	55%	318	45%	707
2006	358	53%	320	47%	678
2007	335	57%	252	43%	587
2008	338	59%	235	41%	573
2009	320	62%	197	38%	517
2010	391	56%	312	44%	703



Data as of 1.4.11

Prepared by Debora M. Titi

*First Judicial District of PA: Trial Division - Civil*

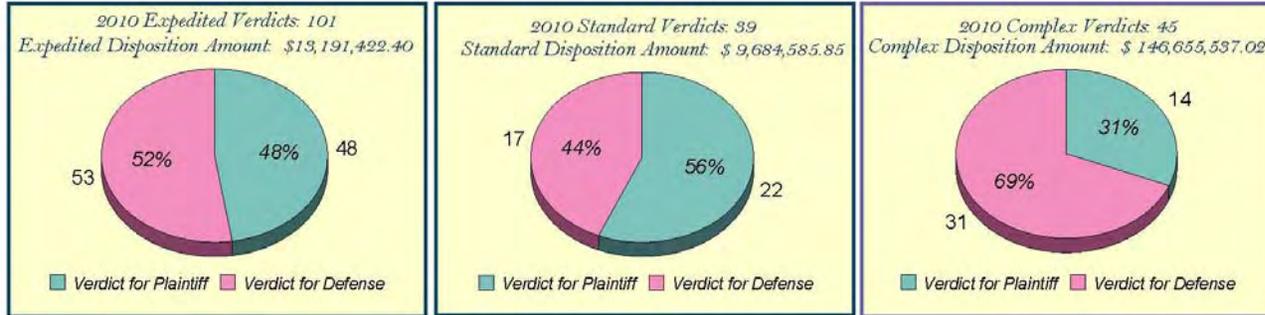


Month	Disposition Type	Number	Disposition Amount	Percentage	Disposition Type	Number	Disposition Amount	Percentage	Total
January	Verdict for Plaintiff	6	\$1,298,223.25	35%	Verdict for Defense	11		65%	17
February	Verdict for Plaintiff	5	\$12,930,000.00	56%	Verdict for Defense	4		44%	9
March	Verdict for Plaintiff	6	\$5,830,704.02	50%	Verdict for Defense	6		50%	12
April	Verdict for Plaintiff	5	\$89,302,385.00	71%	Verdict for Defense	2		29%	7
May	Verdict for Plaintiff	8	\$6,360,980.61	40%	Verdict for Defense	12		60%	20
June	Verdict for Plaintiff	10	\$2,178,009.00	36%	Verdict for Defense	18		64%	28
July	Verdict for Plaintiff	1	\$11,649.09	8%	Verdict for Defense	12		92%	13
August	Verdict for Plaintiff	8	\$1,227,429.00	57%	Verdict for Defense	6		43%	14
September	Verdict for Plaintiff	5	\$8,050,500.00	31%	Verdict for Defense	11		69%	16
October	Verdict for Plaintiff	11	\$2,223,000.00	69%	Verdict for Defense	5		31%	16
November	Verdict for Plaintiff	11	\$33,581,280.30	58%	Verdict for Defense	8		42%	19
December	Verdict for Plaintiff	8	\$6,537,385.00	57%	Verdict for Defense	6		43%	14
<b>2010 Plaintiff Verdict:</b>		<b>84</b>	<b>\$169,531,545.27</b>	<b>45%</b>	<b>2010 Defense Verdict:</b>	<b>101</b>	<b>\$0.00</b>	<b>55%</b>	<b>185</b>
<i>2010 Major Jury Program Verdicts: 185</i>					<i>Total Disposition Amount: \$169,531,545.27</i>				
<b>2009 Plaintiff Verdict:</b>		<b>92</b>	<b>\$124,818,970.50</b>	<b>53%</b>	<b>2009 Defense Verdict:</b>	<b>82</b>	<b>\$50,000.00</b>	<b>47%</b>	<b>174</b>
<i>2009 Major Jury Program Verdicts: 174</i>					<i>Total Disposition Amount: \$124,868,970.50</i>				
<b>2008 Plaintiff Verdict:</b>		<b>91</b>	<b>\$176,077,792.08</b>	<b>52%</b>	<b>2008 Defense Verdict:</b>	<b>85</b>	<b>\$45,000.00</b>	<b>48%</b>	<b>176</b>
<i>2008 Major Jury Program Verdicts: 176</i>					<i>Total Disposition Amount: \$176,122,792.08</i>				
<b>2007 Plaintiff Verdict:</b>		<b>106</b>	<b>\$91,699,914.75</b>	<b>56%</b>	<b>2007 Defense Verdict:</b>	<b>82</b>	<b>\$1,850,000.00</b>	<b>44%</b>	<b>188</b>
<i>2007 Major Jury Program Verdicts: 188</i>					<i>Total Disposition Amount: \$93,519,914.75</i>				
<b>2006 Plaintiff Verdict:</b>		<b>95</b>	<b>\$120,822,579.35</b>	<b>52%</b>	<b>2006 Defense Verdict:</b>	<b>89</b>	<b>\$0.00</b>	<b>48%</b>	<b>184</b>
<i>2006 Major Jury Program Findings: 184</i>					<i>Total Disposition Amount: \$120,822,579.35</i>				

Date prepared: 3-4-11

Prepared by Debra M. Teti

### 2010 Major Jury Program by Track

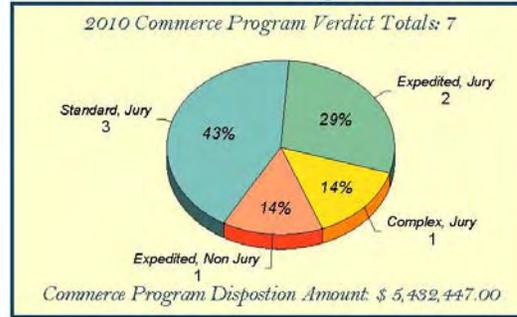


Track	Disposition Type	Number	Amount	Percentage	Disposition Type	Number	Amount	Percentage	Jury Totals	Percent	
<b>2010</b>											
Expedited	Verdict for Plaintiff	48	\$13,191,422.40	48%	Verdict for Defense	53		52%	101	55%	
Standard	Verdict for Plaintiff	22	\$9,684,585.85	56%	Verdict for Defense	17		44%	39	21%	
Complex	Verdict for Plaintiff	14	\$146,655,537.02	31%	Verdict for Defense	31		69%	45	24%	
2010 Plaintiff Verdict:		84	\$169,531,545.27	45%	2010 Defense Verdict:		101	\$0.00	55%	185	100%
2010 Major Jury Program Verdicts: 185 Total Disposition Amount: \$ 169,531,545.27											
<b>2009</b>											
Expedited	Verdict for Plaintiff	51	\$11,772,209.60	61%	Verdict for Defense	32	\$50,000.00	39%	83	48%	
Standard	Verdict for Plaintiff	25	\$76,606,093.86	63%	Verdict for Defense	15		38%	40	23%	
Complex	Verdict for Plaintiff	16	\$36,440,667.04	31%	Verdict for Defense	35		69%	51	29%	
2009 Plaintiff Verdict:		92	\$124,818,970.50	53%	2009 Defense Verdict:		82	\$50,000.00	47%	174	100%
2009 Major Jury Program Verdicts: 174 Total Disposition Amount: \$124,868,970.50											
<b>2008</b>											
Expedited	Verdict for Plaintiff	57	\$28,014,165.61	53%	Verdict for Defense	50	\$45,000.00	47%	107	61%	
Standard	Verdict for Plaintiff	21	\$105,753,537.00	58%	Verdict for Defense	15		42%	36	20%	
Complex	Verdict for Plaintiff	13	\$42,310,089.47	39%	Verdict for Defense	20		61%	33	19%	
2008 Plaintiff Verdict:		91	\$176,077,792.08	52%	2008 Defense Verdict:		85	\$45,000.00	48%	176	100%
2008 Major Jury Program Verdicts: 176 Total Disposition Amount: \$176,122,792.08											
<b>2007</b>											
Expedited	Verdict for Plaintiff	50	\$30,148,767.11	63%	Verdict for Defense	29		37%	79	42%	
Standard	Verdict for Plaintiff	42	\$41,648,719.50	70%	Verdict for Defense	18		30%	60	32%	
Complex	Verdict for Plaintiff	14	\$19,872,428.14	29%	Verdict for Defense	35	\$1,850,000.00	71%	49	26%	
2007 Plaintiff Verdict:		106	\$91,669,914.75	56%	2007 Defense Verdict:		82	\$1,850,000.00	44%	188	100%
2007 Major Jury Program Verdicts: 188 Total Disposition Amount: \$ 93,519,914.75											
<b>2006</b>											
Expedited	Verdict for Plaintiff	49	\$8,879,534.40	55%	Verdict for Defense	40		45%	89	49%	
Standard	Verdict for Plaintiff	28	\$34,167,089.64	68%	Verdict for Defense	13		32%	41	22%	
Complex	Verdict for Plaintiff	18	\$77,775,955.31	33%	Verdict for Defense	36		67%	54	29%	
2006 Plaintiff Verdict:		95	\$120,822,579.35	52%	2006 Defense Verdict:		89	\$0.00	48%	184	100%
2006 Major Jury Program Verdicts: 184 Total Disposition Amount: \$120,822,579.35											

Date prepared: 02.05.11

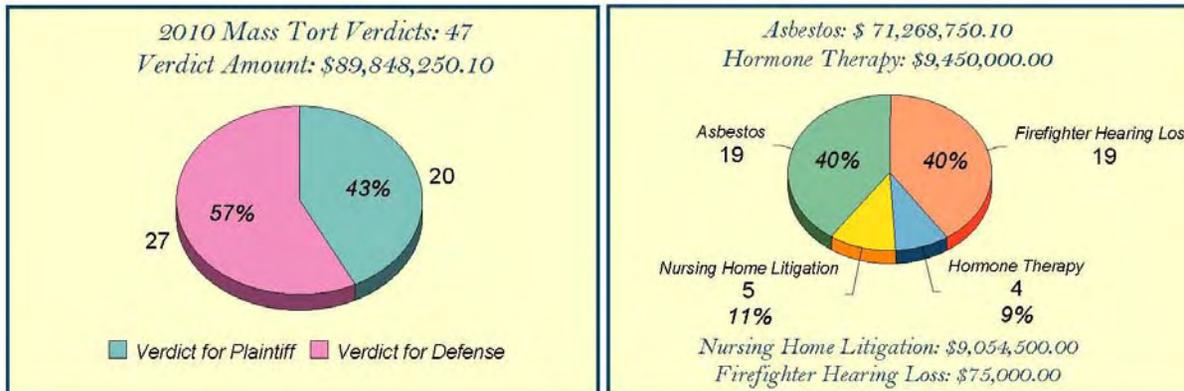
Prepared by Debra M. Titt

## 2010 Commerce Program Verdicts



2010											
Track	Disposition Type	Number	Amount	Percentage	Disposition Type	Number	Amount	Percentage	Jury Totals	Percent	
Expedited, Jury	Verdict for Plaintiff	2	\$733,179.00	100%	Verdict for Defense	0		0%	2	29%	
Expedited, Non Jury	Verdict for Plaintiff	1	\$327,000.00	100%	Verdict for Defense	0		0%	1	14%	
Standard, Jury	Verdict for Plaintiff	3	\$3,964,268.00	100%	Verdict for Defense	0		0%	3	43%	
Complex, Jury	Verdict for Plaintiff	1	\$408,000.00	100%	Verdict for Defense	0		0%	1	14%	
2010 Plaintiff Verdict		7	\$5,432,447.00	100%	2010 Defense Verdict		0	\$0.00	0%	7	100%
<b>2010 Commerce Verdict Total: 7</b>					<b>2010 Total Verdict Amount: \$5,432,447.00</b>						
2009											
Track	Disposition Type	Number	Amount	Percentage	Disposition Type	Number	Amount	Percentage	Jury Totals	Percent	
Expedited, Jury	Verdict for Plaintiff	0		0%	Verdict for Defense	1		100%	1	17%	
Expedited, Non Jury	Verdict for Plaintiff	1	\$1,785,876.05	50%	Verdict for Defense	1		50%	2	33%	
Standard, Jury	Verdict for Plaintiff	1	\$8,000.00	100%	Verdict for Defense	0		0%	1	17%	
Complex, Jury	Verdict for Plaintiff	0		0%	Verdict for Defense	2		100%	2	33%	
2009 Plaintiff Verdict		2	\$1,793,876.05	33%	2009 Defense Verdict		4	\$0.00	67%	6	100%
<b>2009 Commerce Verdict Total: 6</b>					<b>2009 Total Verdict Amount: \$ 1,793,876.05</b>						
2008											
Track	Disposition Type	Number	Amount	Percentage	Disposition Type	Number	Amount	Percentage	Jury Totals	Percent	
Expedited, Jury	Verdict for Plaintiff	2	\$164,018.27	40%	Verdict for Defense	3		60%	5	63%	
Standard, Jury	Verdict for Plaintiff	1	\$352,750.00	100%	Verdict for Defense	0		0%	1	13%	
Standard, Non-Jury	Verdict for Plaintiff	2	\$1,407,859.00	100%	Verdict for Defense	0		0%	2	25%	
2008 Plaintiff Verdict		5	\$1,924,627.27	62%	2008 Defense Verdict		3	\$0.00	38%	8	100%
<b>2008 Commerce Verdict Total: 8</b>					<b>2008 Total Verdict Amount: \$1,924,627.57</b>						
2007											
Track	Disposition Type	Number	Amount	Percentage	Disposition Type	Number	Amount	Percentage	Jury Totals	Percent	
Expedited, Jury	Verdict for Plaintiff	1	\$330,000.00	50%	Verdict for Defense	1		50%	2	33%	
Standard, Jury	Verdict for Plaintiff	2	\$123,000.00	67%	Verdict for Defense	1		33%	3	50%	
Standard, Non-Jury	Verdict for Plaintiff	1	\$1,315,000.00	100%	Verdict for Defense	0		0%	1	17%	
2007 Plaintiff Verdict		4	\$1,768,000.00	67%	2007 Defense Verdict		2	\$0.00	33%	6	100%
<b>2007 Commerce Verdict Total: 6</b>					<b>2007 Total Verdict Amount: \$ 1,768,000.00</b>						
2006											
Track	Disposition Type	Number	Amount	Percentage	Disposition Type	Number	Amount	Percentage	Jury Totals	Percent	
Expedited, Jury	Verdict for Plaintiff	0		0%	Verdict for Defense	2	\$37,100.00	100%	2	25%	
Expedited, Non Jury	Verdict for Plaintiff	1	\$51,631.74	100%	Verdict for Defense	0		0%	1	12.5%	
Standard, Jury	Verdict for Plaintiff	1	\$4,000,000.00	25%	Verdict for Defense	3		75%	4	50%	
Complex, Non-Jury	Verdict for Plaintiff	0		0%	Verdict for Defense	1	\$560,000.00	100%	1	12.5%	
2006 Plaintiff Verdict		2	\$4,051,631.74	25%	2006 Defense Verdict		6	\$597,100.00	75%	8	100%
<b>2006 Commerce Verdict Total: 8</b>					<b>2006 Total Verdict Amount: \$ 4,648,731.74</b>						

## 2010 Mass Tort Program



Disposition Type	Number	Amount	Percentage	Disposition Type	Number	Percentage	Totals
<b>2010 Mass Tort Verdicts</b>							
Verdict for Plaintiff	20	\$89,848,250.10	43%	Verdict for Defense	27	57%	47
<b>2009 Mass Tort Verdicts</b>							
Verdict for Plaintiff	11	\$45,697,164.00	58%	Verdict for Defense	8	42%	19
<b>2008 Mass Tort Verdicts</b>							
Verdict for Plaintiff	4	\$26,500,000.00	57%	Verdict for Defense	3	43%	7
<b>2007 Mass Tort Verdicts</b>							
Verdict for Plaintiff	4	\$6,000,000.00	44%	Verdict for Defense	5	56%	9
<b>2006 Mass Tort Verdicts</b>							
Verdict for Plaintiff	6	\$6,892,200.00	25%	Verdict for Defense	18	75%	24

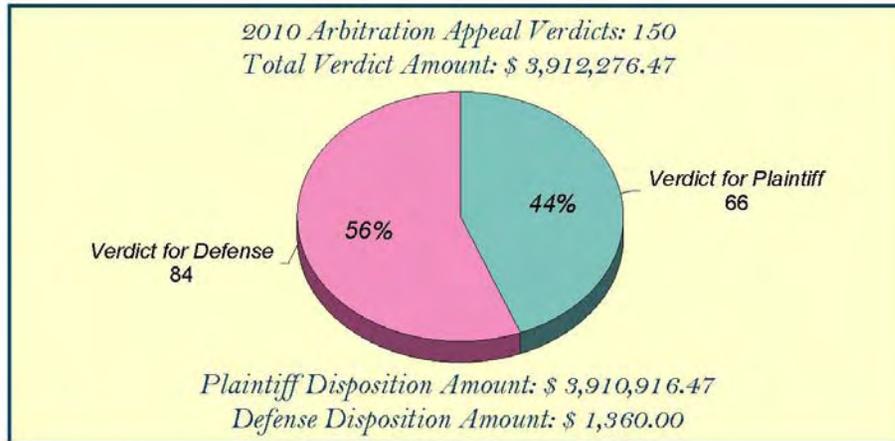
<sup>1</sup> 2010: 19 Asbestos cases - 13 Plaintiff Verdicts; 6 Defense Verdicts. 19 Firefighter Hearing Loss - 1 Plaintiff Verdict; 18 Defense Verdicts.  
5 Nursing Home Litigation - All 5 Plaintiff Verdicts. 4 Hormone Therapy cases - 1 Plaintiff, 3 Defense Verdicts.

<sup>2</sup> 2009: 16 Asbestos cases - 8 Plaintiff Verdicts \$8,897,164; 8 Defense Verdicts. 2 Hormone Therapy cases both Plaintiff Verdicts \$ 34,300,000.00, and 1 Paxil Birth Defect, Plaintiff Verdict \$ 2,500,000.00 case.

<sup>3</sup> 2008: 6 Asbestos cases - 4 Plaintiff Verdicts \$26,500,000; 2 Defense Verdicts 1 Phen-Fen Verdict for Defense.

<sup>4</sup> 2007: 6 Asbestos cases - 1 Plaintiff Verdict; 5 Defense Verdicts. 3 Hormone Therapy all Plaintiff Verdicts \$6,000,000.

<sup>5</sup> 2006: 14 Asbestos cases - 2 Plaintiff Verdicts \$6,500,000.00; 12 Defense Verdicts. 11 Phen-Fen Plaintiff Verdicts \$392,200.00; 7 Defense Verdicts.



Month	Disposition Type	Number	Disposition Amount	Percentage	Disposition Type	Number	Disposition Amount	Percentage	Total
January	Verdict for Plaintiff	5	\$73,117.60	71%	Verdict for Defense	2		29%	7
February	Verdict for Plaintiff	5	\$186,000.00	50%	Verdict for Defense	5		50%	10
March	Verdict for Plaintiff	2	\$65,100.99	33%	Verdict for Defense	4		67%	6
April	Verdict for Plaintiff	5	\$128,333.00	42%	Verdict for Defense	7		58%	12
May	Verdict for Plaintiff	11	\$508,598.80	79%	Verdict for Defense	3		62%	14
June	Verdict for Plaintiff	3	\$31,023.08	38%	Verdict for Defense	5		63%	8
July	Verdict for Plaintiff	9	\$405,500.00	47%	Verdict for Defense	10		53%	19
August	Verdict for Plaintiff	4	\$864,460.00	27%	Verdict for Defense	11	\$1,360.00	73%	15
September	Verdict for Plaintiff	7	\$109,500.00	35%	Verdict for Defense	13		65%	20
October	Verdict for Plaintiff	5	\$39,600.00	38%	Verdict for Defense	8		62%	13
November	Verdict for Plaintiff	6	\$449,683.00	40%	Verdict for Defense	9		60%	15
December	Verdict for Plaintiff	4	\$1,050,000.00	36%	Verdict for Defense	7		64%	11
<b>2010 Plaintiff Verdict:</b>		<b>66</b>	<b>\$3,910,916.47</b>	<b>44%</b>	<b>2010 Defense Verdict:</b>	<b>84</b>	<b>\$1,360.00</b>	<b>56%</b>	<b>150</b>
<i>2010 Arbitration Appeal Verdicts: 150</i>					<i>Total Disposition Amount: \$ 3,912,276.47</i>				
<b>2009 Plaintiff Verdict:</b>		<b>67</b>	<b>\$1,536,265.44</b>	<b>57%</b>	<b>2009 Defense Verdict:</b>	<b>51</b>	<b>\$0.00</b>	<b>43%</b>	<b>118</b>
<i>2009 Arbitration Appeal Verdicts: 118</i>					<i>Total Disposition Amount: \$ 1,536,265.44</i>				
<b>2008 Plaintiff Verdict:</b>		<b>66</b>	<b>\$2,966,995.83</b>	<b>48%</b>	<b>2008 Defense Verdict:</b>	<b>72</b>	<b>\$1,980.00</b>	<b>52%</b>	<b>138</b>
<i>2008 Arbitration Appeal Verdicts: 138</i>					<i>Total Disposition Amount: \$2,968,975.83</i>				
<b>2007 Plaintiff Verdict:</b>		<b>63</b>	<b>\$1,192,354.01</b>	<b>47%</b>	<b>2007 Defense Verdict:</b>	<b>71</b>	<b>\$629,616.88</b>	<b>53%</b>	<b>134</b>
<i>2007 Arbitration Appeals Verdicts: 134</i>					<i>Total Disposition Amount: \$1,821,970.89</i>				
<b>2006 Plaintiff Verdict:</b>		<b>59</b>	<b>\$7,289,269.93</b>	<b>42%</b>	<b>2006 Defense Verdict:</b>	<b>81</b>	<b>\$83,087.00</b>	<b>58%</b>	<b>140</b>
<i>2006 Arbitration Appeals Findings: 140</i>					<i>Total Disposition Amount: \$ 7,372,356.93</i>				

Date prepared: 3/4/11

Prepared by Debora M. Teti

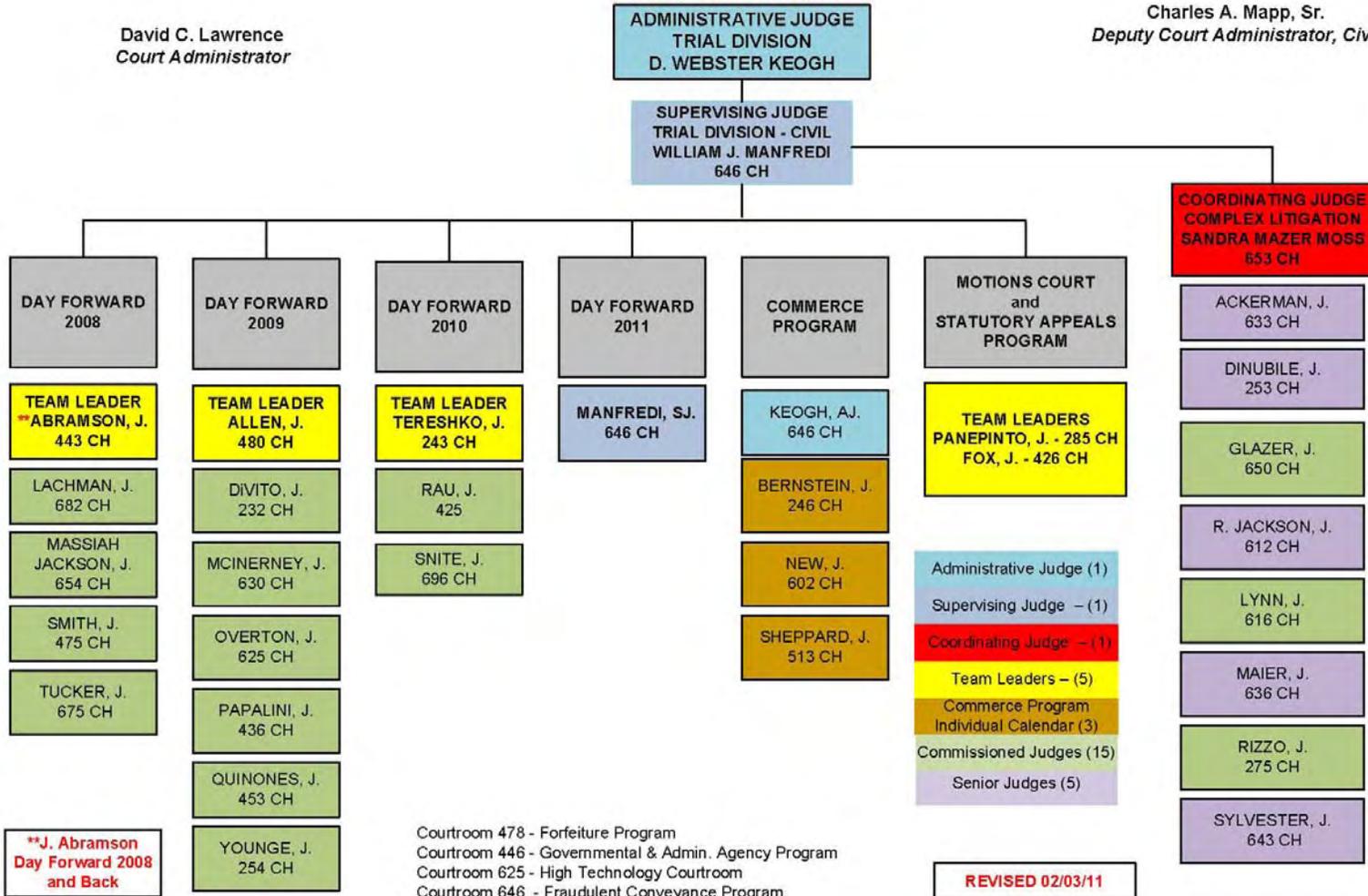
**JUDICIAL ASSIGNMENTS  
COURT OF COMMON PLEAS  
TRIAL DIVISION - CIVIL  
*Effective 01/31/11***

Hon. Pamela Pryor Dembe  
*President Judge*

David C. Lawrence  
*Court Administrator*

David D. Wasson, III, Esq.  
*Chief Deputy Court Administrator*

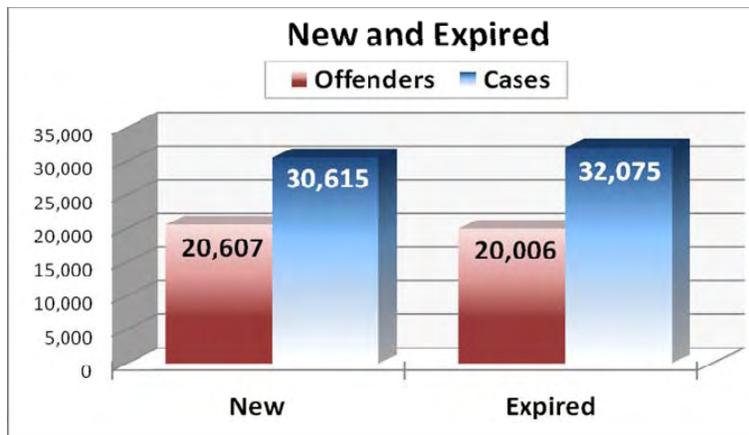
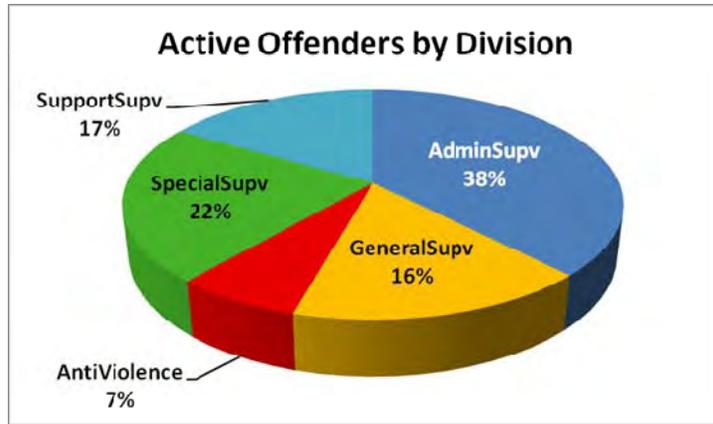
Charles A. Mapp, Sr.  
*Deputy Court Administrator, Civil*



## Common Pleas Court Trial Division Criminal Section Adult Probation and Parole Department 2010 Annual Statistics

Total number of offenders supervised by APPD on 12/31/2010: 45,946

Total number of dockets supervised by APPD on 12/31/2010: 61,514

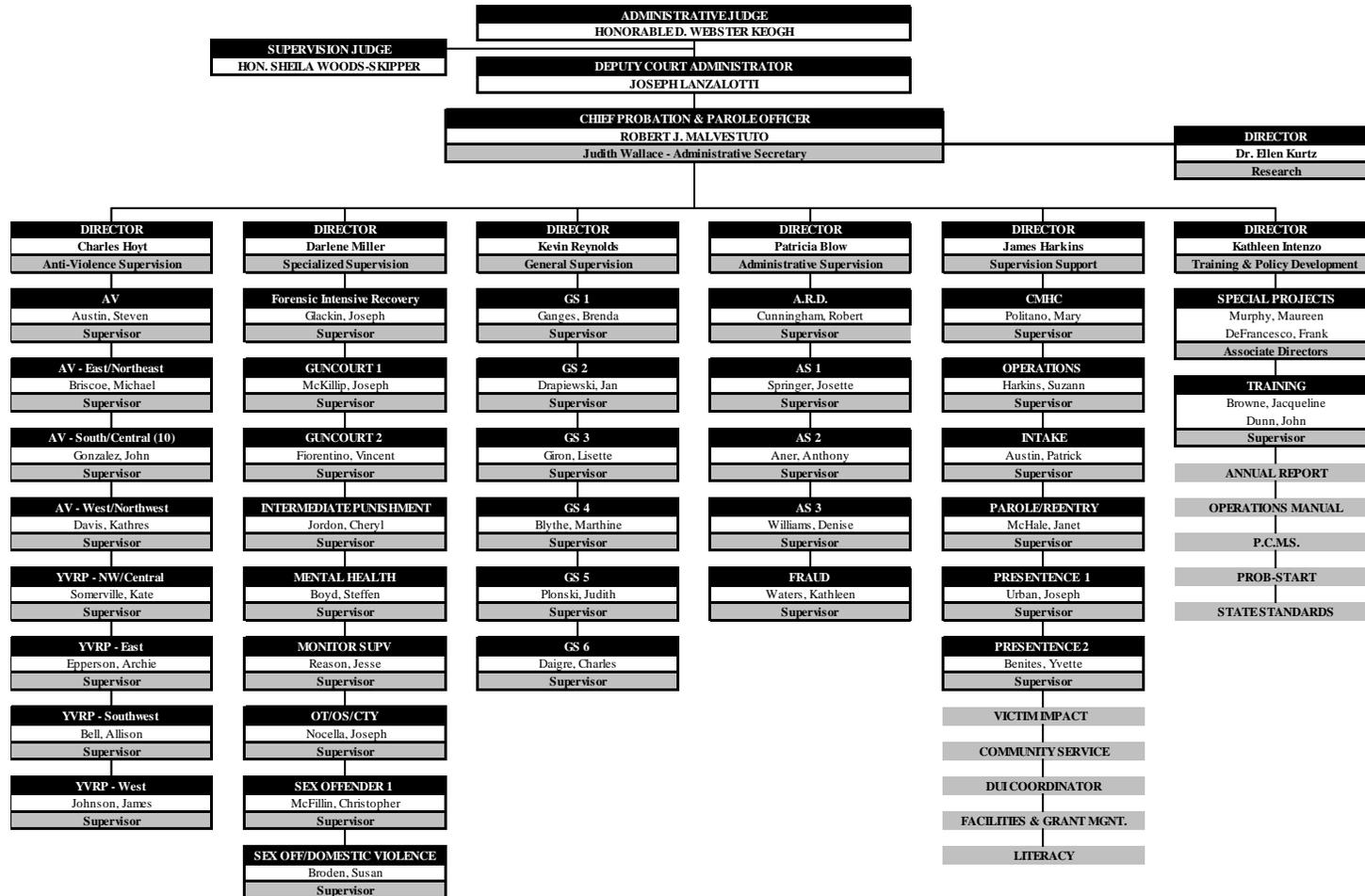


### Selected Workload Figures

Number of New Arrests	9,143
Number of Gagnon II Violation Hearings Attended	14,720
Number of Drug Tests Administered	43,119
Number of Mental Health Evaluations Administered	1,917
Number of PreSentence Completed	2,015

# APPD Organization Chart

## PHILADELPHIA ADULT PROBATION & PAROLE DEPARTMENT



January, 2011



ARRAIGNMENT		
2008 TOTAL: 16,354 M: 5,889   L: 10,465	2009 TOTAL: 15,729 M: 5,485   L: 10,244	2010 TOTAL: 15,449 M: 4,924   L: 10,525

SMART ROOMS ALL PLEAS 2010		
Nov	TOTAL 542	52% of Total Pleas
Dec	TOTAL 478	49% of Total Pleas

Conviction Rates	
2008 TOTAL: 11,397	78%
2009 TOTAL: 11,614	73%
2010 TOTAL: 12,689	76%

DISCOVERY FROM ARRAIGNMENT		
2008	66% Majors Partial: 1,350 None: 2,531	56% List Partial: 2,874 None: 3,015
	69% Majors Partial: 1,537 None: 2,270	56% List Partial: 3,172 None: 2,582
2010	32% Majors Partial: 581 None: 996	18% List Partial: 1,153 None: 753

DISPOSITIONS		
2008	TOTAL: 14,578	All Pleas TOTAL: 8,601 MONTHLY: 717
	MONTHLY: 1,215	
2009	TOTAL: 15,964	TOTAL: 8,735 MONTHLY: 728
	MONTHLY: 1,330	
2010	TOTAL: 16,740	TOTAL: 10,345 MONTHLY: 862
	MONTHLY: 1,395	

FROM 2008 TO 2010  
INCREASE OF 180 CASES PER MONTH

VIDEOS	
2008	Total State & County: 2,070 Monthly: 173 Total Trans. Savings: \$277,015
	Total State & County: 2,260 Monthly: 188 Total Trans. Savings: \$415,785
2010	State & County Total: 2,399 Monthly: 200 Total Trans. Savings: \$408,665

FJDMHC 2010	
TOTALS	
In The Program: 27	
Pending: 37	
Competency Status: 220	
Prison Days Saved: 372	
Cost Savings: \$36,638	

ARC			
2009	MAR-DEC	2010	JAN-DEC
	TOTAL: 1,635 MONTHLY: 164		TOTAL: 2,577 MONTHLY: 215
AVOPP & NSJ JUDGE BROWN			
AVOPP	TOTAL: 438	TOTAL: 464	Total Expedited Violation Hearings
	MONTHLY: 44		
NSJ	TOTAL: 1,396	TOTAL: 1,431	2009: 4,881 2010: 5,428
	MONTHLY: 140		

Advanced Review & Consolidation

Accelerated Violation of Probation Program & Non-Sitting Judge

3/8/2011

### BAIL FROM MC ARRAIGNMENT

	2008	2009	2010
Monetary/Real Estate	60%	60%	61%
ROR/Type I/Type II	38%	37.9%	36.9%
Unsecured/SOB	1.5%	1.6%	1.6%
Denied	0.5%	0.5%	0.5%

### PROBATION

1991: 35,000+ SUPERVISED CASES  
2010: 50,000+ SUPERVISED CASES

2008	2009	2010
Supervised: 48,000	Supervised: 48,000	Supervised: 50,000
Office Visits: 256,600	Office Visits: 232,753	Office Visits: 234,565
Outside Visits: 18,341	Outside Visits: 28,788	Outside Visits: 47,862

Total Violation Hearings	Total Gagnon 1 Hearings
2008: 19,600	2008: 12,297
2009: 19,000	2009: 10,712
2010: 14,720	2010: 12,471

### PRE-TRIAL SERVICES CASH BAIL COLLECTED

2008: \$21 Million  
2009: \$20 Million  
2010: \$18 Million

### ELECTRONIC MONITORING

2008	2009	2010
Active: 765	Active: 793	Active: 870
Total: 2,600	Total: 2,300	Total: 2,700

### BENCH WARRANT HEARINGS

2008	2009	2010
PRISON CP: 6,273 MC: 22,022 TOTAL: 28,295	PRISON CP: 5,748 MC: 20,841 TOTAL: 26,589	PRISON CP: 1,572 MC: 13,170 TOTAL: 14,742
CJC SURRENDERS CP: 1,029 MC: 9,675 SU: 6,423 TOTAL: 17,127	CJC SURRENDERS CP: 973 MC: 9,825 SU: 6,583 TOTAL: 17,381	CJC SURRENDERS CP: 960 MC: 15,344 SU: 5,717 TOTAL: 22,021

### COURT APPOINTED COUNSEL

2008
TOTAL: 13,647
Homicide: 488
Post-Trial: 644
Felony: 10,751
Misdemeanor: 1,764

2009
TOTAL: 13,486
Homicide: 403
Post-Trial: 891
Felony: 10,392
Misdemeanor: 1,800

2010
TOTAL: 14,872
Homicide: 443
Post-Trial: 679
Felony: 11,499
Misdemeanor: 2,251

### PRISONS COUNTY CUSTODY TOTALS

1/4/2009: 9,767
1/4/2010: 8,587
1/4/2011: 7,575

2009-2011  
22.4%  
Decrease

### PRE-TRIAL WARRANT UNIT ARRESTS

2008: 28,478	2009: 27,148	2010: 24,748
<b>BENCH WARRANTS</b> Total: 6,424	<b>BENCH WARRANTS</b> Total: 6,861	<b>BENCH WARRANTS</b> Total: 5,816
CP: 876 MC: 3,205 SU: 402	CP: 893 MC: 3,598 SU: 476	CP: 793 MC: 3,019 SU: 466
<b>OTHER AGENCIES: 1,941</b>	<b>OTHER AGENCIES: 1,894</b>	<b>OTHER AGENCIES: 1,538</b>
<b>PROBATION WARRANTS</b> Total: 3,824	<b>PROBATION WARRANTS</b> Total: 4,030	<b>PROBATION WARRANTS</b> Total: 4,635
<b>SCOFFLAW WARRANTS</b> Total: 18,230	<b>SCOFFLAW WARRANTS</b> Total: 16,257	<b>SCOFFLAW WARRANTS</b> Total: 14,297

3/8/2011

## DISPOSITIONS

FROM 2008 TO 2010  
INCREASE OF 180 CASES PER MONTH

2008 TOTAL: 14,578  
MONTHLY: 1,215

2009 TOTAL: 15,964  
MONTHLY: 1,330

2010 TOTAL: 16,740  
MONTHLY: 1,397

### Dispositions by Type

Type	2008	2009	2010
Abatement	60	67	76
Administrative Closure	82	118	72
ARD	502	408	317
Dismissed	122	228	175
Guilty	2,294	2,471	2,027
Guilty Plea	4,384	2,343	2,245
Negotiated Guilty Plea	4,049	6,190	7,814
Nolo Contendre Plea	168	202	286
Nolle Pros	1,833	2,426	2,589
Not Guilty	768	827	709
Quashed	179	205	204
Remand to MC Court	45	44	33
Transfer to Juvenile	92	104	109
Judgment of Acquittal	n/a	20	27
Other	n/a	269	17
Uncategorized	n/a	42	40
<b>Total</b>	<b>14,578</b>	<b>15,964</b>	<b>16,740</b>

### Jury Dispositions

	2008	2009	2010
Guilty	430	393	387
Not Guilty	221	216	147
Monthly Avg.	54	50	44
<b>Total</b>	<b>651</b>	<b>609</b>	<b>534</b>

From 2008 to 2010  
Decrease of 117  
Jury Trials

### Dispositions by Program

Program	2008	2009	2010
Homicide	234	239	219
Majors	6,689	5,381	5,511
List	6,641	9,354	9,771
List Gun	1,014	948	1,199
<b>Total by Program</b>	<b>14,578</b>	<b>15,922</b>	<b>16,700</b>
Uncategorized	n/a	42	40
<b>Total</b>	<b>14,578</b>	<b>15,964</b>	<b>16,740</b>

### Negotiated Pleas

2008: 4,049  
MONTHLY: 337

2009: 6,190  
MONTHLY: 516

2010: 7,814  
MONTHLY: 651

From 2008-2010  
Increase of 314  
cases per month

### Gun Court

2008: 1,014  
MONTHLY: 85

2009: 948  
MONTHLY: 79

2010: 1,199  
MONTHLY: 100

### 2010

#### Dispositions by Division

Division	November		December	
	Major	List	Major	List
South	43	68	124	77
East	52	126	43	157
Southwest	116	295	59	295
Northwest	45	156	52	131
Central	92	182	85	193
Northeast	67	131	49	81
<b>Total</b>	<b>415</b>	<b>958</b>	<b>412</b>	<b>934</b>

### Conviction Rates

2008 TOTAL: 11,397 **78%**

2009 TOTAL: 11,614 **73%**

2010 TOTAL: 12,689 **76%**

3/8/2011

## SMART ROOMS NOVEMBER & DECEMBER 2010

**SOUTH WOODS-SKIPPER 505**  
**EAST SHREEVES-JOHN 605**

**SOUTHWEST MEANS 705**  
**NORTHWEST DEMPSEY 805**

**CENTRAL KANE 905**  
**NORTHEAST RANSOM 1005**

### DISPOSITION by SMART Room

Room #	November		December	
	List	Major	List	Major
505	38	6	46	13
605	38	14	40	11
705	214	88	198	19
805	55	16	56	23
905	79	27	121	49
1005	58	14	16	9
<b>Total</b>	<b>482</b>	<b>165</b>	<b>477</b>	<b>124</b>

### SMART Room Plea Analysis

Room #	Negotiated Pleas - First Listing - M&L		Negotiated Pleas - Second Listing - M&L		Open Pleas		Total Pleas		No Offer		Declined Offer	
	Nov	Dec	Nov	Dec	Nov	Dec	Nov	Dec	Nov	Dec	Nov	Dec
505	40	7	4	19	0	0	44	26	4	8	35	50
605	28	21	16	17	3	0	47	38	0	23	0	57
705	197	108	80	86	1	10	278	204	17	20	52	99
805	32	50	12	16	4	0	48	66	6	1	61	68
905	54	45	5	64	2	10	61	119	3	0	89	234
1005	59	19	4	6	1	0	64	25	18	4	56	3
<b>Total</b>	<b>410</b>	<b>250</b>	<b>121</b>	<b>208</b>	<b>11</b>	<b>20</b>	<b>542</b>	<b>478</b>	<b>48</b>	<b>56</b>	<b>293</b>	<b>511</b>

### SMART Room Detailed Analysis

Room #	Scheduled Cases		Custodies Brought Down		Custodies in Courtroom		Bench Warrants Issued		Continuance Reasons						Sent Back to Smart Room		Sent Out to Division	
	Nov	Dec	Nov	Dec	Nov	Dec	Nov	Dec	PD		PVT		DA		Nov	Dec	Nov	Dec
505	130	177	28	55	22	31	6	9	23	34	23	26	0	0	46	60	29	62
605	420	322	94	94	40	48	14	7	88	42	101	50	5	7	194	99	112	144
705	726	705	326	409	158	190	32	16	145	111	68	111	4	16	217	238	49	149
805	346	361	104	73	49	37	12	5	32	41	95	73	31	8	158	122	59	71
905	631	772	118	187	28	59	10	10	79	51	82	95	34	30	195	176	101	134
1005	287	434	34	35	22	13	8	3	63	59	63	74	18	8	144	141	51	78
<b>Total</b>	<b>2,540</b>	<b>2,771</b>	<b>704</b>	<b>853</b>	<b>319</b>	<b>378</b>	<b>82</b>	<b>50</b>	<b>430</b>	<b>338</b>	<b>432</b>	<b>429</b>	<b>92</b>	<b>69</b>	<b>954</b>	<b>836</b>	<b>401</b>	<b>638</b>

3/1/2011

## VIDEOS

**2008**  
 Total State & County: 2,070  
 Monthly: 173  
 Total Trans. Savings: \$277,015

**2009**  
 Total State & County: 2,260  
 Monthly: 188  
 Total Trans. Savings: \$415,785

**2010**  
 State & County Total: 2,399  
 Monthly: 200  
 Total Trans. Savings: \$408,665

COUNTY	2008	2009	2010
Extradition Conferences	730	1,094	1,134
Bench Warrants, Status Re-Arrests, etc.	410	275	391
County Intermediate Punishment	243	186	270
<b>Total County</b>	<b>1,383</b>	<b>1,555</b>	<b>1,795</b>
STATE	2008	2009	2010
Violations of Probation	308	300	256
PCRAs	101	131	118
Sentencing's	67	80	50
Grazier Hearings	41	36	48
Guilty Plea Hearings	n/a	14	20
Post Trial Motions	6	29	22
State Intermediate Punishment	119	93	63
Other	45	22	27
<b>Total State</b>	<b>687</b>	<b>705</b>	<b>604</b>
<b>Totals (County &amp; State)</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
Total Video Hearings Held (number of defendants)	2,070	2,260	2,399

### Transportation Cost Savings

	2008	2009	2010
State	\$167,758	\$292,940	\$268,440
County	\$109,257	\$122,845	\$140,225
<b>Total Cost Savings</b>	<b>\$277,015</b>	<b>\$415,785</b>	<b>\$408,665</b>

**56%** Increase from 2008 to 2010

**14%** Increase from 2008 to 2010

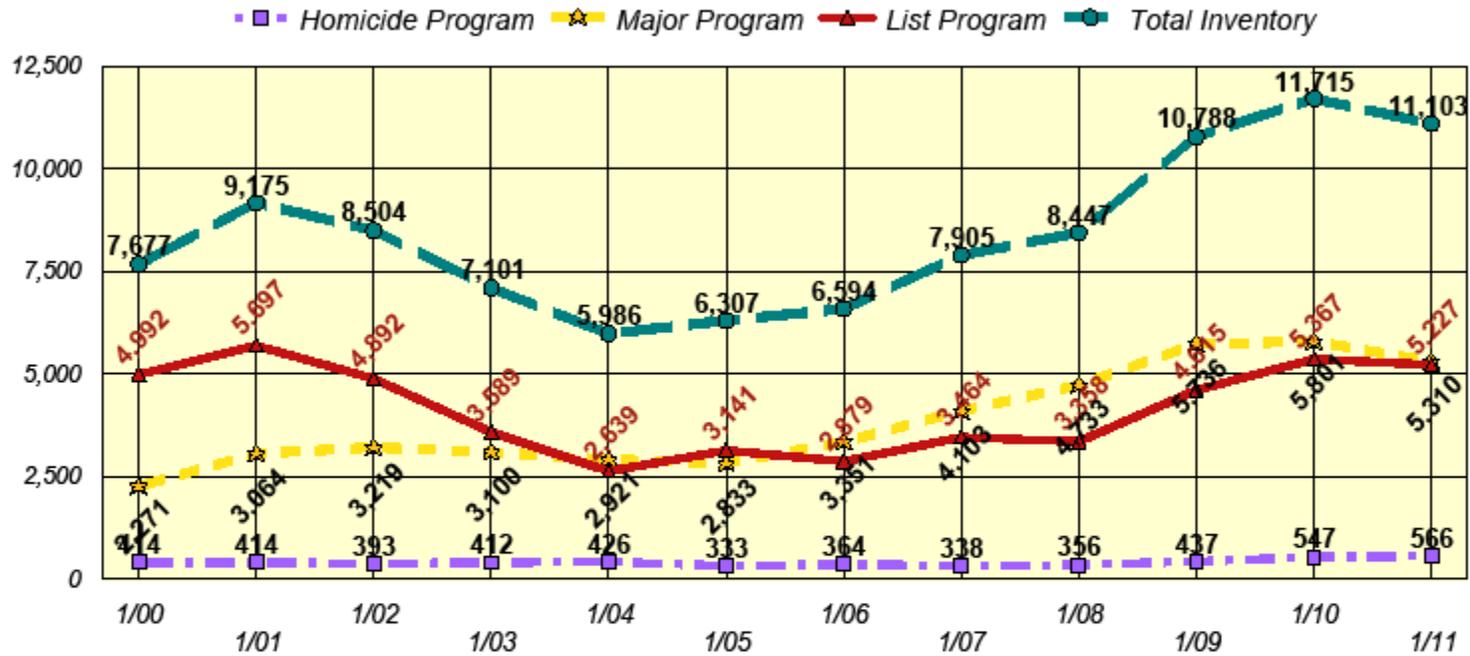
## COURT APPOINTMENTS · COUNTY PRISON POPULATION

	2008 (7/07 – 6/08)	2009 (7/08 – 6/09)	2010 (7/09 – 6/10)
<b>Homicide</b>			
<i>Lead</i>	259	185	238
<i>Co-Counsel</i>	58	34	36
<i>Non-Capital Appeals</i>	38	44	58
<i>Non-Capital PCRA</i>	133	140	111
<b>Homicide Totals</b>	<b>488</b>	<b>403</b>	<b>443</b>
<b>Post-Trial</b>			
<i>Non-Homicide Appellate</i>	190	169	158
<i>Non-Homicide PCRA</i>	454	722	521
<b>Post-Trial Totals</b>	<b>644</b>	<b>691</b>	<b>679</b>
<b>Felony Totals</b>	<b>10,751</b>	<b>10,392</b>	<b>11,499</b>
<b>Misdemeanor Totals</b>	<b>1,764</b>	<b>1,800</b>	<b>2,251</b>
<b>Grand Total</b>	<b>13,647</b>	<b>13,486</b>	<b>14,872</b>



3/8/2011

*First Judicial District of PA: Criminal Trial Division  
CP Criminal Records Pending: 2000 - 2010*

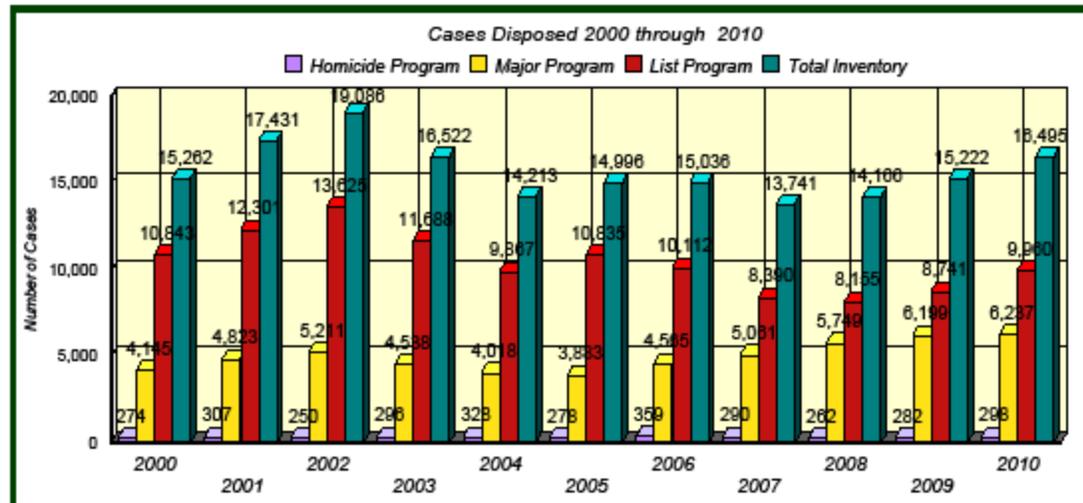
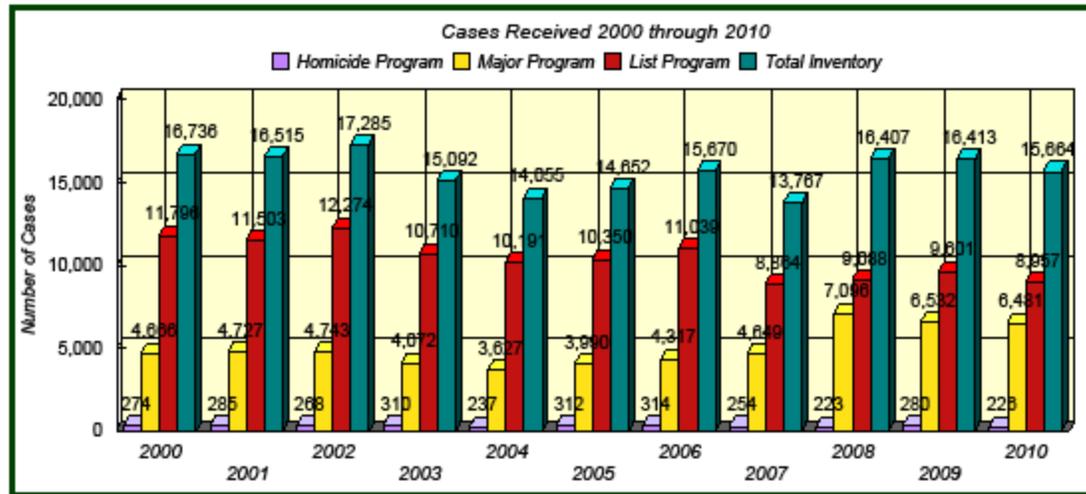


	1/00	1/01	1/02	1/03	1/04	1/05	1/06	1/07	1/08	1/09	1/10	1/11
Homicide Program <span style="color: purple;">■</span>	414	414	393	412	426	333	364	338	356	437	547	566
Major Program <span style="color: yellow;">★</span>	2,271	3,064	3,219	3,100	2,921	2,833	3,351	4,103	4,733	5,736	5,801	5,310
List Program <span style="color: red;">▲</span>	4,992	5,897	4,892	3,589	2,639	3,141	2,879	3,464	3,358	4,815	5,367	5,227
Total Inventory <span style="color: teal;">●</span>	7,677	9,175	8,504	7,101	5,986	6,307	6,594	7,905	8,447	10,788	11,715	11,103

Data as of 12.31.10

Prepared by Debora M. Teti

*CP Criminal Cases Received/Cases Disposed by Program: 2000 - 2010*



Data as of 12.31.10

Prepared by Debra M. Tuti

**First Judicial District of PA: Criminal Trial Division  
C.P. Criminal Statistics  
December 2010**

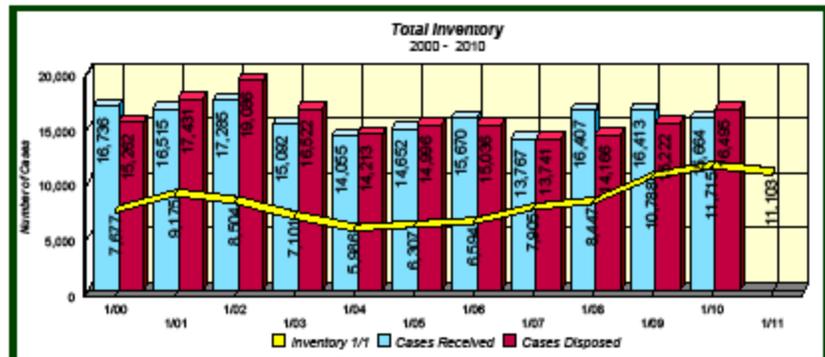
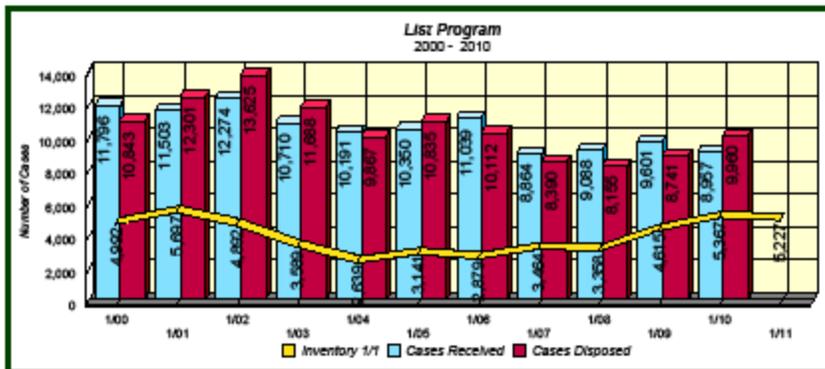
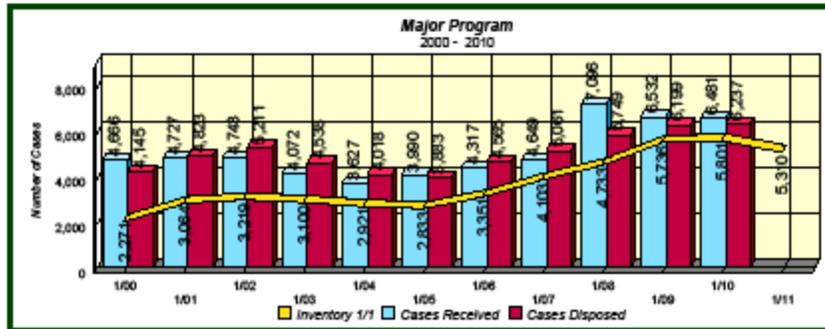
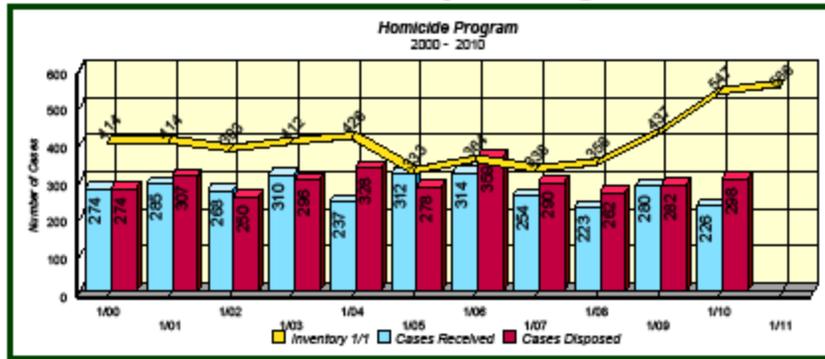
	Beginning Inventory 12/01/10	Cases Received	Dispositions	Net BW Activity	Net Track Changes	Ending Inventory 12/31/10	Increase (Decrease)
Homicide	555	23	17	8	-3	566	11
Major	5,050	497	377	118	22	5,310	260
List	5,265	608	778	182	-50	5,227	-38
<b>Grand Total</b>	<b>10,870</b>	<b>1,128</b>	<b>1,172</b>	<b>308</b>	<b>-31</b>	<b>11,103</b>	<b>233</b>

**Year To Date December 2010**

	Beginning Inventory 01/01/10	Cases Received	Dispositions	Net BW Activity	Net Track Changes	Ending Inventory 12/31/10	Increase (Decrease)
Homicide	547	226	298	22	69	566	19
Major	5,801	6,481	6,237	159	-894	5,310	-491
List	5,367	8,957	9,960	226	637	5,227	-140
<b>Grand Total</b>	<b>11,715</b>	<b>15,664</b>	<b>16,495</b>	<b>407</b>	<b>-188</b>	<b>11,103</b>	<b>-612</b>

1/7/11

CP Criminal Cases Received/Disposed/Pending: 2000 - 2010



Date as of 12/31/10

Prepared by Debra M. Tol

## Family Division Domestic Relations Branch

**Philadelphia Family Court  
Domestic Relations Branch  
Calendar Years 2008-2010**

Total DR Filings				
		<b>2008</b>	<b>2009</b>	<b>2010</b>
<b>Custody Filings</b>	Custody/Confirm Custody	6,966	7,667	6,780
	Partial Custody/Visitation	495	555	582
	Modify Custody	3,924	4,209	4,188
	Contempt of Custody	2,002	2,013	2,105
	<b>Subtotal</b>	<b>13,387</b>	<b>14,444</b>	<b>13,655</b>
	Custody Exceptions	103	111	79
	Motions & Other Filings	7,917	9,473	10,701
	<b>Total Custody Filings</b>	<b>21,407</b>	<b>24,028</b>	<b>24,435</b>
<b>Support Filings</b>	New Complaints	23,306	19,931	18,373
	Modifications	13,100	12,650	11,489
	Contempt Petitions	17,045	10,876	10,343
	Support Exceptions	1,134	1,058	1,022
	Support Motions	1,707	1,596	1,733
	<b>Total Support Filings</b>	<b>56,292</b>	<b>46,111</b>	<b>42,960</b>
<b>Domestic Violence</b>	<b>New Petitions</b>	<b>11,082</b>	<b>11,695</b>	<b>11,623</b>
<b>Divorce</b>	New Petitions	1,903	1,877	1,928
	Misc. Filings (Contested & Uncontested)	11,810	11,720	12,541
	<b>Total Divorce Filings</b>	<b>13,713</b>	<b>13,597</b>	<b>14,469</b>
<b>Total DR Filings</b>		<b>101,361</b>	<b>102,494</b>	<b>93,487</b>
Total DR Petitions Processed				
		<b>2008</b>	<b>2009</b>	<b>2010</b>
<b>Custody</b>	Interim, Master and Judicial	29,601	30,183	34,147
	<b>Support</b> Establishment only. Disposition of contempt and motion hearings are not counted on statewide child support system - PACSES	33,769	30,570	31,512
<b>Domestic Violence</b>	Interim & Final	31,173	32,788	33,278
<b>Divorce</b>	Final & Interim Orders only	4,235	3,856	3,728
<b>Total DR Dispositions</b>		<b>98,778</b>	<b>97,397</b>	<b>102,665</b>

**DR Quick Facts**  
**Performance Measures Support Orders**

Open IV-D Cases (As of 12/10) 96,704

# Active Children in Open Cases (As of 12/10)

(Average 1.38 Children/Case) 133,710

**Collections (OCSE 34A)**

	<u>FFY 2005</u>	<u>FFY 2006</u>	<u>FFY 2007</u>	<u>FFY 2008</u>	<u>FFY 2009</u>	<u>FFY 2010</u>
TANF Collections	\$95,350,391	\$100,114,383	\$102,641,409	\$103,353,530	\$94,625,336	\$88,331,720
Non-TANF Collections	<u>99,366,900</u>	<u>100,820,468</u>	<u>99,972,423</u>	<u>101,539,560</u>	<u>98,842,279</u>	<u>96,252,996</u>
Total Collections	\$194,717,291	\$200,934,851	\$202,613,832	\$204,893,090	\$193,467,615	\$184,584,716

**Collections (OCSE 34A)**

	<u>Cal Yr. 2005</u>	<u>Cal Yr. 2006</u>	<u>Cal Yr. 2007</u>	<u>Cal Yr. 2008</u>	<u>Cal Yr. 2009</u>	<u>Cal Yr. 2010</u>
TANF Collections	\$95,973,497	\$101,711,480	\$101,949,628	\$102,685,304	\$93,811,519	\$86,336,247
Non-TANF Collections	<u>99,540,316</u>	<u>100,887,886</u>	<u>100,401,005</u>	<u>100,727,765</u>	<u>98,561,903</u>	<u>95,663,732</u>
Sub-Total	\$195,513,813	\$202,599,366	\$202,350,633	\$203,413,069	\$192,373,422	\$181,999,979
Non IV-D Collections	<u>5,802,121</u>	<u>6,298,348</u>	<u>6,446,123</u>	<u>6,470,308</u>	<u>6,295,838</u>	<u>TBD</u>
Total Collections	\$201,315,934	\$208,897,714	\$208,796,756	\$209,883,377	\$198,669,260	\$181,999,979

**Philadelphia Collections Per Day (OCSE 34A)**

	<u>FFY 2005</u>	<u>FFY 2006</u>	<u>FFY 2007</u>	<u>FFY 2008</u>	<u>FFY 2009</u>	<u>FFY 2010</u>
TANF Collections	\$376,879	\$395,709	\$394,775	\$394,479	\$362,549	\$338,436
Non-TANF Collections	<u>392,755</u>	<u>398,500</u>	<u>384,509</u>	<u>387,556</u>	<u>378,706</u>	<u>368,785</u>
Total Collections	\$769,634	\$794,209	\$779,284	\$782,035	\$741,255	\$707,221

**Average Annual Collections Per Case (OCSE 34A)**

	<u>Cal Yr. 2005</u>	<u>Cal Yr. 2006</u>	<u>Cal Yr. 2007</u>	<u>Cal Yr. 2008</u>	<u>Cal Yr. 2009</u>	<u>Cal Yr. 2010</u>
Average TANF Collections/Case	\$1,535	\$1,606	\$1,647	\$1,679	\$1,605	\$1,574
Average Non-TANF Collections/Case	3,713	3,864	3,906	3,985	4,096	4,107
Average Total Collections/Case	\$2,188	\$2,265	\$2,309	\$2,354	\$2,332	\$2,329

Average Monthly Collections Per Case (OCSE 34A)

	<u>FFY 2006</u>	<u>FFY 2007</u>	<u>FFY 2008</u>	<u>FFY 2009</u>	<u>FFY 2010</u>
Average TANF Collections/Case	\$131	\$137	\$141	\$133	\$133
Average Non-TANF Collections/Case	320	321	334	340	340
Average Total Collections/Case	\$187	\$191	\$198	\$193	\$195

Accumulated Arrears Owed for all Federal Fiscal Years (OCSE 157 FFY 2011)

Philadelphia	\$201,446,427
Pennsylvania	\$1,114,375,205

## Common Pleas Court Orphans' Court Division

*The Orphans' Court Division processed the following during calendar year 2010:*

Type of Filing	Carry-Over from 2009	New Filings in 2010	Total Disposed of in CY 2010	Total Open Matters as of 01-Jan-2011
Accounts (for all case types)	155	167	161	161
Exceptions to Adjudications Schedule of Distribution	7 2	5 11	9 9	3 4
Appeals from Register of Wills	3	18	17	4
Petitions to Appoint Guardians: for Incapacitated Persons for Minors	53 7	426 80	400 77	79 10
Annual Reports, Guardian's Inventories and Final Reports	0	794	794 <sup>1</sup>	0
Approvals: Minor's Compromises Orphans' Court Civil Division	58 39 19	1156 499 657	1108 476 632	106 62 44
Approvals: Wrongful Death/Survival Action Orphans' Court Civil Division	77 4 73	257 43 214	270 39 231	64 8 56
Petitions for Allowances: Minors & Incapacitated Persons	35	324	321	38
Scheduling Orders <sup>2</sup>	0	3311	3311	0
Inheritance Tax Matters	30	104	102	32
Citations	0	738	738	0
Petitions to Buy/Sell Real Estate	10	75	71	14
"Other" Petitions <sup>3</sup>	336	1698	1734	300
Approval to Act as Corporate Fiduciary	0	46	45	1
Re-Exam of Trust Assets Ordered	0	63	63	0
Report of Exams & Termination of Trust Assets	0	60	60	0
Marriage License Matters	0	137	137	0
Report of Cemetery Assets	0	966	966	0
Miscellaneous Matters <sup>4</sup>	0	1193	1193	0
<b>TOTAL</b>	<b>773</b>	<b>11,629</b>	<b>11,586</b>	<b>816</b>

<sup>1</sup> These filings are disposed as "reviewed by court."

<sup>2</sup> Scheduling Orders are Orders scheduling hearings and conferences.

<sup>3</sup> "Other" Petitions include Petitions for the Grant of Letters after 21 Years, Petitions for Default and petitions filed on behalf of nonprofit corporations, i.e., Petitions to Approve the Sale of Assets.

<sup>4</sup> These include Forms for Exemplifying Records and Wills, and Examinations of Safety Deposit Boxes.

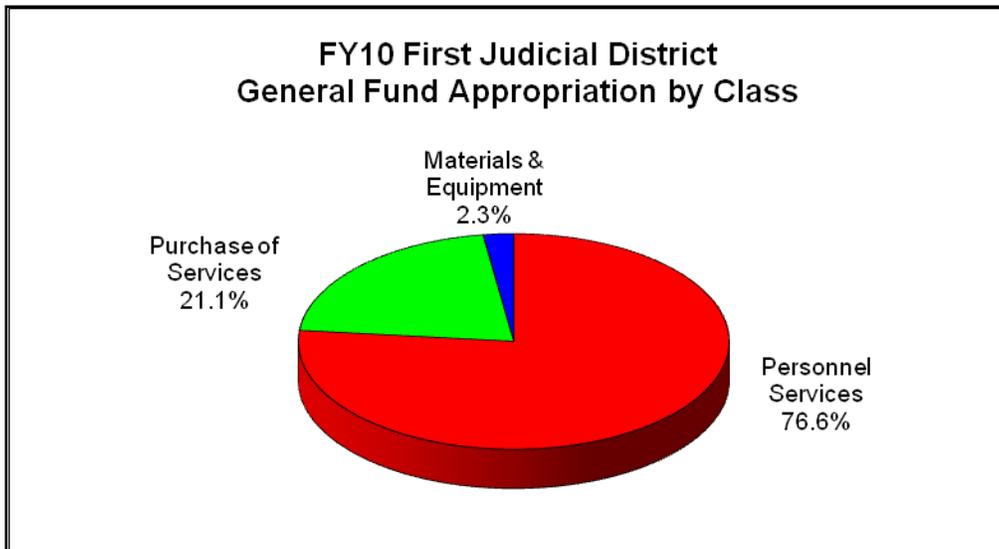
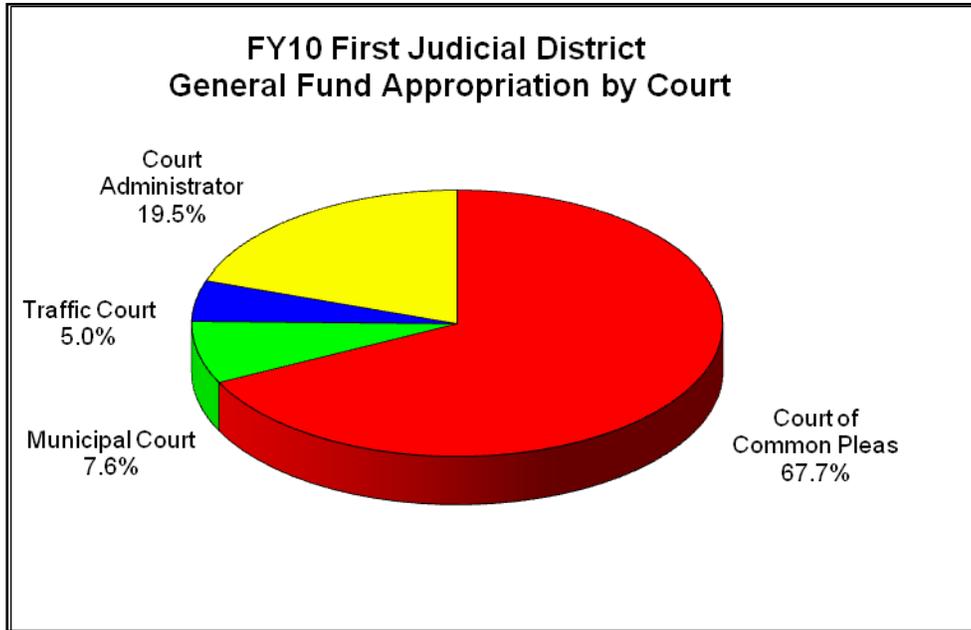
***Total Inheritance Tax Collections (Orphans' Court)***

<b>Fiscal Year</b>	<b>Collection Amount</b>
2004	\$12,423,553
2005	\$12,848,922
2006	\$16,589,003
2007	\$15,280,423
2008	\$14,839,155
2009	\$10,819,995
2010	\$11,882,749

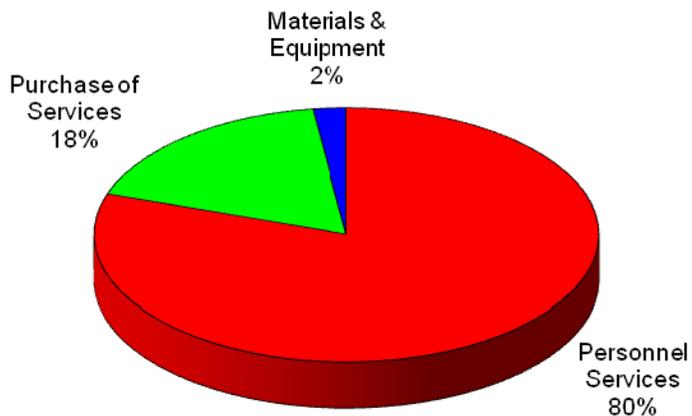
## **Municipal Court**

*(See data provided within the Municipal Court Section beginning on page 132)*

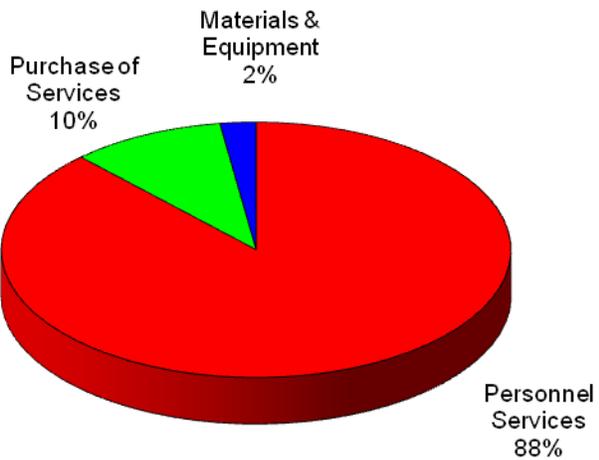
## Fiscal & Budget Office



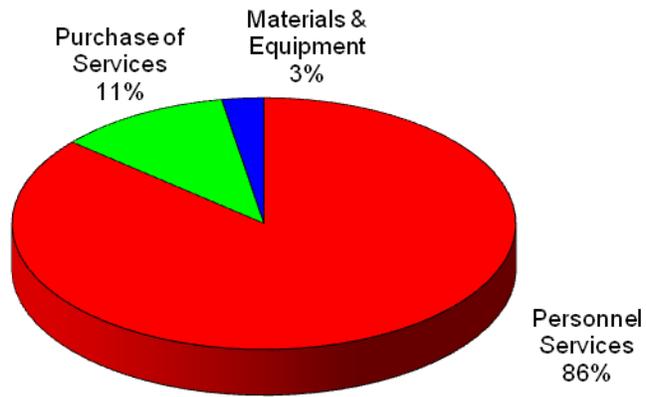
### FY10 Court of Common Pleas General Fund Appropriation



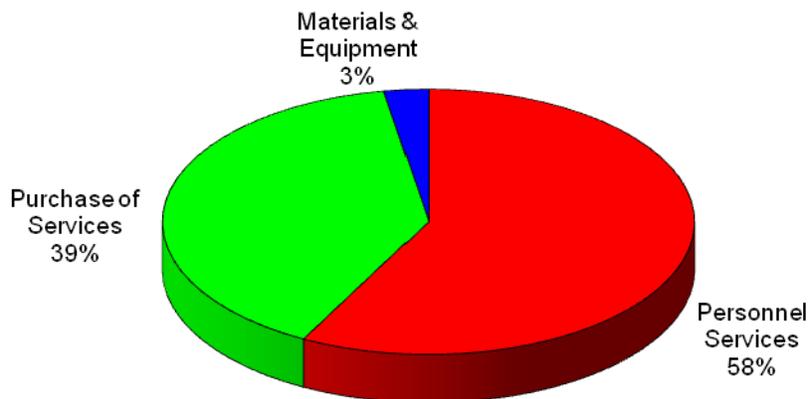
### FY10 Municipal Court General Fund Appropriation

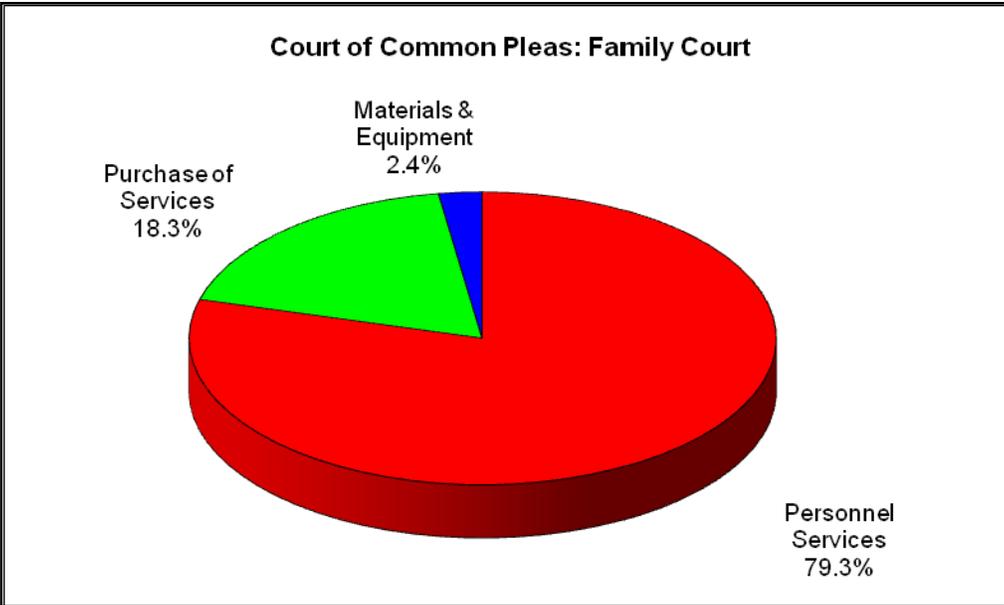
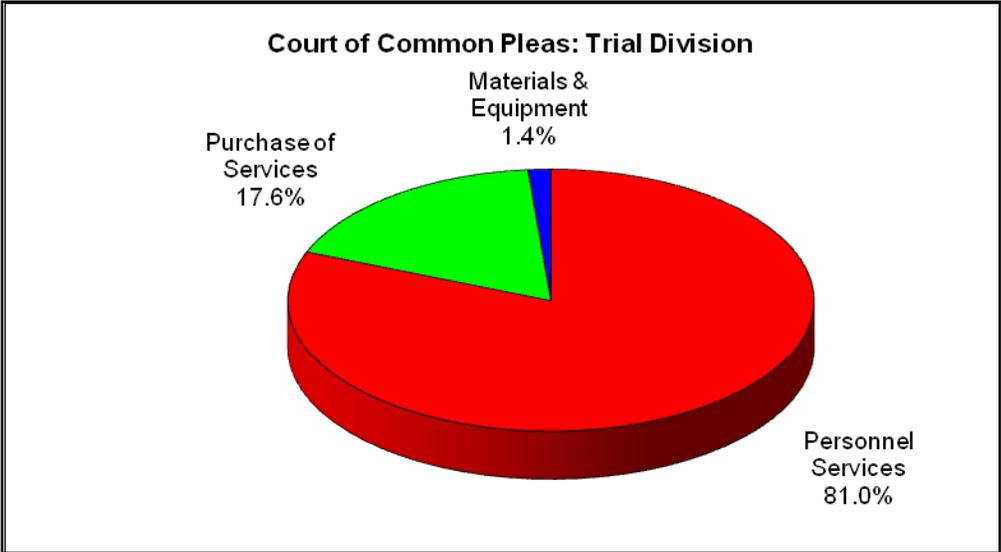


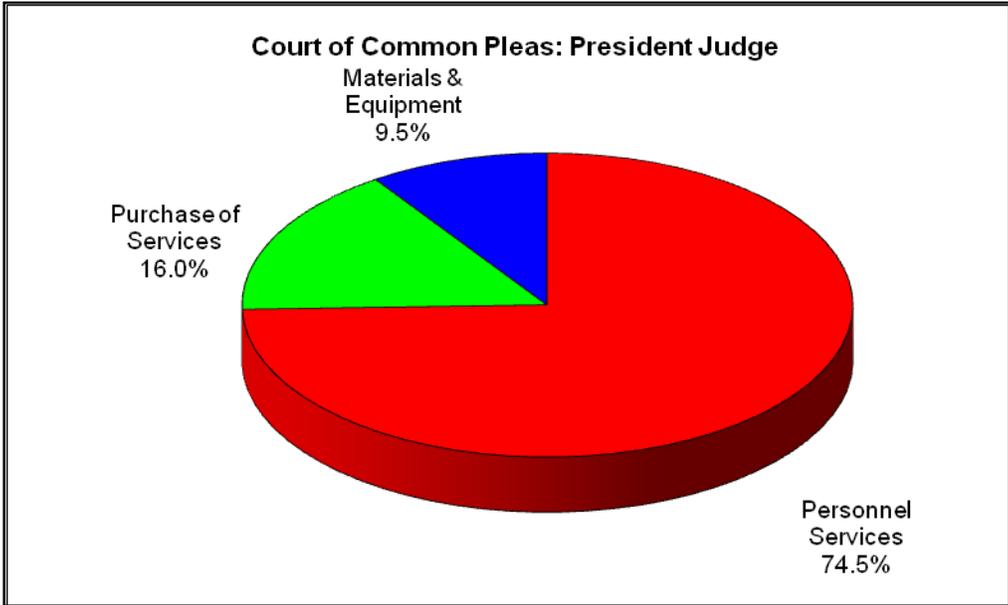
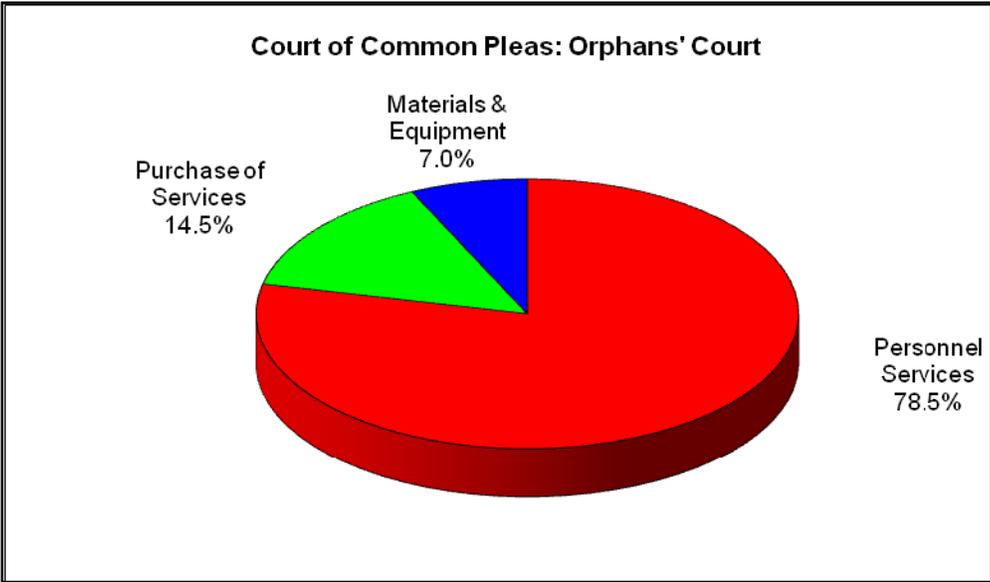
**FY10 Traffic Court  
General Fund Appropriation**



**FY10 Office of the Court Administrator  
General Fund Appropriation**







## Acknowledgements

*Sincere appreciation is extended to the following groups and individuals for their dedication to the causes of justice and judicial administration, for their support of the concepts presented in this 2010 Annual Report, and for their assistance in its preparation. The success story told here is one of their making.*

◇

*To the 2010 Administrative Governing Board of the First Judicial District of Pennsylvania*

Common Pleas Court President Judge Pamela P. Dembe  
Municipal Court President Marsha Neifield  
Traffic Court President Judge Thomasine Tynes  
Common Pleas Court Trial Division Administrative Judge D. Webster Keogh  
Common Pleas Court Family Division Administrative Judge Kevin M. Dougherty  
Common Pleas Court Orphans' Court Division Administrative Judge Joseph D. O'Keefe  
Traffic Court Administrative Judge Bernice A. DeAngelis (2010)  
Zygmunt A. Pines, Esq., Court Administrator of Pennsylvania

◇

*To David D. Wasson III, current Court Administrator, and David C. Lawrence, the 2010 Court Administrator of the First Judicial District of Pennsylvania, our thanks for their continuing leadership, support, guidance, and dedication of time and resources, without which, the production of this report would not have been possible.*

◇

*Special thanks to the Deputy Court Administrators, each of whom provided prepared materials to describe the accomplishments of the judges, employees, and managers of their respective courts, divisions, and service centers:*

Mary Lou Baker, DCA, Common Pleas Court Family Division, Domestic Relations Branch  
Glenn Bozzacco, Esq., DCA, Common Pleas Court Family Division, Juvenile Branch  
Kevin Cross, DCA, FJD Budget and Financial Services  
Mario D'Adamo, Esq., DCA, Common Pleas Court Family Division, Juvenile Branch  
Robert DeEmilio, DCA, Traffic Court  
Joseph Evers, Common Pleas Court Prothonotary  
Marc Flood, Esq., DCA, FJD Human Resources & Procurement  
Joseph Lanzalotti, DCA, Common Pleas Court Trial Division, Criminal Section  
Charles A. Mapp, Sr., DCA, Common Pleas Court Trial Division – Civil Section  
Patricia McDermott, DCA, Municipal Court, Civil Division  
Kathleen Rapone, DCA, Municipal Court, Criminal Division  
Dominic Rossi, Esq., DCA, FJD Legal Services

*This Annual Report was produced by:*

*Editor: Leonard A. Hacking*

**SENIOR STAFF ADVISOR, OFFICE OF THE COURT ADMINISTRATOR**

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*Statistics, including graphic renderings: Deborah Teti,  
Department of Information Technology*