

*And Through the
Millennium
May They Wave*



Superior Court
of
Pennsylvania
1999 Annual Report





Washington Crossing the Delaware

Emanuel Leutze, 1851

the Metropolitan Museum of Art

A Gift of John Stewart Kennedy

TABLE OF CONTENTS

FOREWORD.....	2
1999: THE YEAR IN REVIEW.....	3
1999: THE YEAR IN STATISTICS	5 - 8
<i>Appeals Filed and Concluded in 1999.....</i>	5
<i>Reargument / Reconsideration.....</i>	5
<i>Appeals, Petitions and Wiretaps Filed, by District.....</i>	5
<i>Appeals by County of Origin.....</i>	5
<i>Appeals by Type of Case.....</i>	6
<i>Opinions Filed.....</i>	6
<i>Disposition of Appeals by Method of Conclusion and Type of Case.....</i>	6
<i>Superior Court Treatment of Cases from Courts of Common Pleas.....</i>	7
<i>Supreme Court Treatment of Superior Court Cases</i>	7
BIOGRAPHIES.....	9 - 22
HISTORY OF THE COURT.....	23
JUDGES OF THE COURT.....	24
PRESIDENT JUDGES OF THE COURT.....	24
ADMINISTRATIVE OFFICES.....	25 - 27
<i>Executive Administrator.....</i>	25
<i>Prothonotary.....</i>	25
<i>Central Legal Staff.....</i>	26
<i>Recorder.....</i>	26
<i>Legal Systems.....</i>	27
DIRECTORY	28 - 29
<i>Judges Chambers.....</i>	28
<i>Administrative Offices.....</i>	29



Superior Court of Pennsylvania Website:
www.superior.court.state.pa.us



THE SUPERIOR COURT OF PENNSYLVANIA

CHAMBERS OF

PRESIDENT JUDGE STEPHEN J. McEWEN, JR.

COURT HOUSE
MEDIA, PENNSYLVANIA 19063

610-565-9191

January 10, 2000

My Dear Citizens, Lawyers, and Judges:

The faith of the ancients was enhanced by the profound guidance provided in the lesson of The Testaments to:

*Render to Caesar, the things that are Caesar's ...
and to God, the things that are God's.*

The faith of the Founders of our country flowed from a commitment to *God and Country*.

That lesson of The Testaments has enabled Western Civilization to advance through three millennia, while the commitment to God and Country has enabled our United States to so flourish into a third century that the fate of one is the future of both.

As, then, we start a new century and enter a new millennium, the American people, and no less their representatives in the government – and especially their courts – must reaffirm what The Testaments preached and Our Founders practiced, namely, our duty to obey the principles of the Almighty as well as the laws of our land.

And so it is that we pray that God will through the millennium bless and protect this Country and this Commonwealth.

With warmest regards, I remain,

Very truly yours,

Stephen J. McEwen, Jr.
President Judge

1999

The Year in Review

A particular highlight of the year, perhaps, even, of the decade, was the unique Proclamation of American Bar Association President Philip S. Anderson saluting the Court *"for its leadership, commitment and creativity in establishing replicable programs to enhance public knowledge about and confidence in the rule of law and our justice systems"*. The Proclamation was presented in August at the Annual ABA Conference in Atlanta.



The quandary *TV ... or not TV* was resolved by the telecast upon the Pennsylvania Cable Network of our Law Day En Banc Session in the Capitol Courtroom on April 30 and thereafter the Philadelphia and Pittsburgh En Banc Sessions in June, September, and December. The effort was undertaken so as to enhance the understanding of the citizenry of the role of the appellate courts in the judicial branch of our government.



The Gateway to the West, the City of St. Louis, was the site of our 1999 Heritage Conference. Since Lewis and Clark prepared for their exploration of the Louisiana Territory by study at the American

Philosophical Society in Philadelphia, selected especially designed canoes manufactured only in Pittsburgh, and relied for their sustenance and safety upon the new Lancaster rifles, the historic ties between the expedition and our Commonwealth are deep and rich.

The academic sessions were conducted at St. Louis University Law School upon Bioethics and Natural Law, and upon Family Law developments from the perspective of the American Law Institute. The Dred Scott Courtroom was stirring, the Gateway Arch thrilling, and the steamboat tour memorable – as was Mark McGwire's 13th homerun as he soared toward his 1999 total of 65 roundtrippers.



A bit of history was made when the United States Third Circuit Court of Appeals Chief Judge Edward R. Becker visited our Philadelphia Founders Court Room to jointly preside with President Judge McEwen over a July Ceremonial Session at which the Court presented the Hood of Honor to American Law Institute Executive Director Emeritus Geoffrey C. Hazard, Jr.



1999 *The Year in Review*

The *Commonwealth Partners* program was an effort undertaken, over 18 months, from concept to completion, and concluded in December, 1999, after 13 regional conferences covering the 67 counties which compose the 60 judicial districts of Pennsylvania, contact with all Representatives, Senators, and trial judges in the state, and discussion, dialogue and dinner with 53 Representatives, 11 Senators, and 230 trial judges.



The Winter Court Conference in Philadelphia was made memorable by the Founders Millennium Salute which brought our Judges and distinguished guests to the American Philosophical Society where we examined treasured documents of the founding era, and to the reception and dinner at historic Carpenter's Hall, the site of the sessions of the First Continental Congress in the fall of 1774.



The fine advocacy which marked the en banc sessions in Harrisburg, in Philadelphia, and in Pittsburgh, was heightened by the Ceremony of Salute conducted by the Court to honor 50-year members of the Bar: 12 in the Middle District, 28 in the Eastern District, and 16 in the Western District.



The Court, as well as the Supreme Court and the Commonwealth Court, entered in November upon the first phase of a new docketing/case management project that is without parallel in the country. The project, when complete in mid-2000, will link all three appellate courts in the Commonwealth.



When Judge Berle Schiller joined the Court on May 13, 1996, he quickly displayed a keen sense of fairness and a sound jurisprudential intuition. As importantly, he immediately embraced, and thereafter enhanced, the spirit of collegiality which has become a hallmark of this Court. Thus it is that we so regret the expiration of the term of his appointment by Governor Tom Ridge and his departure from our midst. *Adieu*, Berle, – please stay well and strong.



The November general election brought to the Court for full ten-year terms Judge Maureen Lally-Green of Butler County and Judge Debra Todd of Allegheny County. Judge Lally-Green had been our valued colleague for almost two years, following her appointment by Governor Tom Ridge, while Judge Todd brings to this Court the experience and insight of an accomplished and winning trial lawyer.

1999 *The Year in Statistics*

Appeals Filed and Concluded in 1999

	TOTAL	CIVIL	CRIMINAL
New Appeals Filed in 1999	7299	3287	4012
Appeals Concluded in 1999	8597	3634	4963

Appeals, Petitions and Wiretaps Filed, By District

DISTRICT	APPEALS	TOTAL PETITIONS	WIRETAPS
Eastern	3540	4790	78
Middle	1659	1186	2
Western	2100	2744	0
TOTAL	7299	8720	80

Reargument/Reconsideration

Petitions Filed 1999.....	497
Petitions Granted.....	42
Percent Granted.....	8.4%

Appeals by County of Origin

Adams.....	51	Lackawanna.....	122
Allegheny.....	798	Lancaster.....	164
Armstrong.....	19	Lawrence.....	59
Beaver.....	66	Lebanon.....	68
Bedford.....	19	Lehigh.....	194
Berks.....	154	Luzerne.....	186
Blair.....	59	Lycoming.....	85
Bradford.....	29	McKean.....	25
Bucks.....	173	Mercer.....	50
Butler.....	66	Mifflin.....	9
Cambria.....	43	Monroe.....	83
Cameron.....	1	Montgomery.....	300
Carbon.....	25	Montour.....	3
Centre.....	107	Northampton.....	112
Chester.....	171	Northumberland.....	49
Clarion.....	15	Perry.....	27
Clearfield.....	50	Philadelphia.....	2037
Clinton.....	22	Pike.....	31
Columbia.....	29	Potter.....	9
Crawford.....	47	Schuylkill.....	46
Cumberland.....	77	Snyder.....	22
Dauphin.....	171	Somerset.....	21
Delaware.....	348	Sullivan.....	8
Elk.....	7	Susquehanna.....	25
Erie.....	188	Tioga.....	20
Fayette.....	72	Union.....	19
Forest.....	6	Venango.....	47
Franklin.....	31	Warren.....	18
Fulton.....	8	Washington.....	116
Greene.....	21	Wayne.....	49
Huntingdon.....	16	Westmoreland.....	114
Indiana.....	28	Wyoming.....	19
Jefferson.....	21	York.....	224
Juniata.....	6		

TOTAL7299

1999

The Year in Statistics

Appeals by Type of Case

Adoption.....39	Estate.....97	Recklessly Endangering Another Person.....29
Aggravated Assault.....381	Forgery.....23	Receiving Stolen Property.....48
Arbitration.....68	Habeas Corpus.....27	Robbery.....409
Assault.....101	Harassment.....22	Summary Offenses.....38
Assumpsit.....139	Indecent Assault.....45	Support.....206
Burglary.....189	Involuntary Termination of Parental Rights.....45	Terroristic Threats.....26
Corruption of Minors.....21	Involuntary Deviate Sexual Intercourse.....105	Theft.....141
Criminal Conspiracy.....49	Mortgage Foreclosure.....21	Trespass.....539
Criminal Trespass.....21	Murder.....248	Vehicle Code Violations.....89
Custody.....167	Murder 1.....192	Other Civil*.....1247
Declaratory Judgment.....75	Murder 2.....39	Other Criminal*.....740
Dependency.....75	Murder 3.....60	TOTAL.....7299
Disorderly Conduct.....42	Possession of an Instrument of Crime.....65	
Divorce.....271	Protection from Abuse Act.....34	
Driving Under the Influence...199	Quiet Title.....21	
Drug Offenses.....513	Rape.....224	
Ejectment.....23		
Equity.....167		

Opinions Filed in 1999

	TOTAL	CIVIL	CRIMINAL
Published Opinions in 1999	345	184	161
Non-Published Opinions in 1999	5422	1958	3464
TOTAL 1999	5767	2142	3625

Dispositions by Type

	TOTAL	CIVIL	CRIMINAL
By Filed Decision	6123	2201	3922
By Order or Discontinuance	2474	1433	1041
TOTAL 1999	8597	3634	4963

** Includes appeals originally classified as "other" as well as appeals originally classified in categories with fewer than 20 appeals filed in 1999.*

1999

The Year in Statistics

Superior Court Treatment of Cases from Courts of Common Pleas

	Cases Decided by Published Opinion	%	Cases Decided by Unpublished Opinion	%	All Cases	%
Affirmed	210	57.6	4487	77.9	4697	76.7
Reversed	115	31.5	865	15.0	980	16.0
Affirmed in Part/ Reversed in Part	23	6.3	175	3.0	198	3.2
Quashed/Dismissed/ Transferred	7	1.9	192	3.3	199	3.2
Other	10	2.7	39	0.7	49	0.8
Total	365		5758		6123	

Supreme Court Treatment of Superior Court Cases

ALLOCATORS: CASES FILED AND CONCLUDED IN 1999

Total Allocatur Petitions Filed in 1999 from Superior Court Decisions.....	2409
Number Granted.....	61
Number Denied.....	1387
Other Disposition.....	34
Open.....	927

DISPOSITION IN 1999 OF APPEALS FROM SUPERIOR COURT CASES

Reversed.....	53
Affirmed.....	60
Other*.....	58
Total.....	171

** Includes affirmed/reversed, dismissed, improvidently granted, vacated and withdrawn.*

PRESIDENT JUDGE STEPHEN J. McEWEN, JR.

President Judge Stephen J. McEwen, Jr. commenced service on the Superior Court in 1981 after appointment by Governor Dick Thornburgh, was elected to a full ten-year term in November, 1981, was retained for a further ten-year term in the general election of November, 1991, and was elected President Judge by the members of the Superior Court for a five-year term commencing January, 1996.



While a Judge on the Superior Court, he was twice appointed by the Pennsylvania Supreme Court to the Board of Judicial Inquiry and Review, and in 1996, was appointed by Governor Tom Ridge to the Court of Judicial Discipline and elected President Judge by the members of that Court.

Judge McEwen pursued his study of the law at St. Joseph's College and the University of Pennsylvania Law School, and upon completion of graduate study was awarded, in 1986, the degree of Master of Laws by

the University of Virginia Law School.

Judge McEwen, a native of Upper Darby, was an active trial lawyer during twenty-three years of private practice, and was District Attorney of Delaware County from 1967 through 1976. He served as General Counsel for the Pennsylvania District Attorneys Association and, for ten years commencing in 1975, was a Professor of Trial Advocacy at Villanova

University Law School. In 1997 he published *Not Even Dicta*, a collection of judicial/personal lessons in the law. Judge McEwen has lectured at various law schools and universities, and PBI seminars. He authored articles published by the St. John's Journal of Legal Commentary, the Notre Dame Journal of Law, Ethics, and Policy, the Dickinson Law Review, and the Philadelphia Legal Intelligencer, and *Court Review*, the Journal of the American Judges Association.

JUDGE JAMES R. CAVANAUGH

Judge James R. Cavanaugh was born on August 26, 1931 in Philadelphia. He received his Bachelor of Science degree from St. Joseph's College and his J.D. from the University of Pennsylvania Law School.

Judge Cavanaugh has served as chairman of the advisory committee of the Prisoner's Family Welfare Association and as director of the Counseling or Referral Agency. Judge Cavanaugh was a director of the Philadelphia Bicentennial Committee. In addition, Judge Cavanaugh has served as Chairman and founding member of the Advisory Board of the Self-Help program, is a member of the Board of Managers of the Catholic Philopatristic Literary Institute and served as President of the St. Joseph's University Law Alumni.

The Judge has also served on the Governor's Justice Commission Regional Board, the Pennsylvania Board of



Judicial Inquiry and Review, and the executive committee of the Pennsylvania Conference of State Trial Judges.

Judge Cavanaugh became a commissioned judge on the Philadelphia Court of Common Pleas in 1969, and was appointed to the Superior Court in August of 1979. He was elected to the Superior Court in November of the same year. In April, 1991, Judge Cavanaugh

moved his chambers from Philadelphia to West Chester in Chester County, Pa. In West Chester he is a member of the Italian Social Club, Monsignor Henry C. Schuyler Knights of Columbus Council 1333, Rotary International and The Benevolent and Protective Order of Elks Lodge No. 853. Judge Cavanaugh was retained in the retention election of November, 1989.

JUDGE JOSEPH A. DEL SOLE

Judge Joseph A. Del Sole was born on November 16, 1940, in Pittsburgh. He has a Bachelor of Science degree in Mechanical Engineering from Carnegie Institute of Technology (now Carnegie Mellon University); an LL.B. from Duquesne University School of Law; and an L.L.M. from the University of Virginia School of Law. He is a member of the Century Club of Distinguished Alumni of Duquesne University and received the 1988 President's Award from the Pennsylvania Trial Lawyers Association.

Judge Del Sole co-authored "The Demise of Fair Trade in Pennsylvania" which appeared in the Duquesne University Law Review and is the author of "Appellate Review in a Sentencing Guidelines Jurisdiction: The Pennsylvania Experience." 31 Duq. L. Rev. 479



(1993). He is a member of the Supreme Court Statewide Steering Committee on Computer Automation and is Chairman of the Common Pleas Court Implementation Project, designing an automation system for the trial courts of Pennsylvania. Further, he was instrumental in spearheading the Superior Court's computerization and statistical development programs. He

was a member of the former Judicial Inquiry and Review Board and was the first Chairman of the Judicial Conduct Board.

He was appointed to the Allegheny County Court of Common Pleas in 1978 and elected to a full term in 1979. He was elected to the Superior Court in 1983, and retained for a second term in 1993. Judge Del Sole's chambers are in Allegheny County.

JUDGE JOHN T. J. KELLY, JR.

Judge John T. J. Kelly, Jr., is a graduate of LaSalle University (B.S., 1956) and Creighton Law School (LL.B., 1961); he is admitted to practice in Pennsylvania and Nebraska.

Before coming to the bench, Judge Kelly served as Deputy Secretary of Labor and Industry (1980-1985); trial lawyer, Philadelphia Public Defenders Association (1972-1978); Assistant to the Lieutenant Governor of Pa., Assistant to the President of the Pa. Constitutional Convention (1967-1971); Assistant Attorney General, Chief Counsel Department of Public Welfare (1963-1966). He has also been a private attorney, political consultant, and campaign director.

Judge Kelly is a member of The Pennsylvania Society,



The Brehon Society, YMBA Society, American Bar Association, Pennsylvania Bar Association, the Montgomery County Bar Association, the Nebraska Bar Association, the Pennsylvania Conference of State Trial Judges, and Knights of Columbus. He was honorably discharged from the United States Army (1952-1954).

Judge Kelly was elected to the Superior Court as the nominee of both the Republicans and the Democrats in 1985 and was retained for a second term in 1995. He was appointed to a four year term on the Judicial Inquiry and Review Board commencing on December 9, 1988. His chambers are in Philadelphia.

JUDGE ZORAN POPOVICH

Judge Zoran Popovich was born on February 4, 1931, in Akron, Ohio. He received his Bachelor of Arts from the University of Pittsburgh in 1954 and his LL.B. from the University of Pittsburgh Law School in 1957. He was on active duty with the United States Air Force



from 1951-53. Judge Popovich was elected to the Court of Common Pleas of Allegheny County in 1973. In 1980, he was appointed to the Superior Court, and he was elected to a full ten-year term in 1985.

JUDGE JUSTIN MORRIS JOHNSON

Justin Morris Johnson was appointed to the Superior Court in 1980 and elected to a ten-year term in 1985. His chambers are in Pittsburgh.

Judge Johnson was born at Wilksburg on August 19, 1933. He received his A.B. and J.D. degrees from the University of Chicago and has attended the Graduate Program for Judges at the University of Virginia. His active military duty, 1954-59, and his reserve duty 1963-73, including two active duty flights into Vietnam during 1971, were with the United States Air Force as an aircraft commander.

In March, 1989, Judge Johnson completed twenty years service on the Pennsylvania Board of Law Examiners, the last six as its chairman. He served on the Board of Managers of the National Conference of Bar Examiners from 1984 to 1989. From 1977 until his appointment to the bench, he was a member of the Pennsylvania Crime Commission. Judge Johnson sat upon the Permanent Judicial Commission of the



General Assembly, Presbyterian Church (U.S.A.) from 1981 to 1989. He completed a six-year term on the Advisory Committee on the Constitution of that national, churchwide body in June, 1996. In August, 1993, Judge Johnson was appointed to a two-year term on the newly-established Court of Judicial Discipline by then Acting Governor Mark S. Singel.

Judge Johnson served for five years as an Adjunct Professor, Duquesne University School of Law. He has served as chairman of Hearing Committee 4.11, Disciplinary Board of the Supreme Court of Pennsylvania, and is a Past President and Director of Neighborhood Legal Services Association (Pittsburgh). He is an active member of the American Bar Association, the National Bar Association, the Pennsylvania Bar Association, the Homer S. Brown Law Association and a Fellow of the American Bar Foundation.

JUDGE JOSEPH A. HUDOCK

Judge Joseph A. Hudock was born in Greensburg, Pennsylvania on November 21, 1937. He was educated at St. Vincent College (B.A.) and Duquesne University School of Law (J.D.). He served in the United States Navy Judge Advocate General's Corps from 1963 to 1967, and then practiced law in Greensburg for 11 years.

He was elected to the Court of Common Pleas of Westmoreland County and served for 12 years before being elected to the Superior Court in November, 1989.

He has been actively involved for many years with the Advisory Board of the Salvation Army, Rotary Club, Boy Scouts, Community Nursing Service, and the United



Way of Central Westmoreland, serving at one time as campaign manager and president of the latter.

He has been a member of the Regional Planning Council of the Governor's Justice Commission, the Latrobe Area Task Force of the Diocese of Greensburg, and the Alumni Council of St. Vincent College. In 1987 he was awarded the St. Vincent College "Alumnus of

Distinction Award". He presently is a member of the Editorial Board of "The Practical Litigator."

Judge Hudock is married to the former Rita Giegerich, and they have four children, Joseph, Jr., Ann, Daniel and Mary. His chambers are in Greensburg.

JUDGE KATE FORD ELLIOTT

Kate Ford Elliott was born June 8, 1949, in Pittsburgh, the daughter of Dr. John M. and Loretto O'Toole Ford. She attended the University of Pittsburgh, where, in 1971, she earned a B.A. in Education (cum laude). Duquesne University, M.S. in Education, 1973; Duquesne University School of Law, Evening Division, J.D. 1978;

A member of the Allegheny County, Pennsylvania and American Bar Associations, Judge Ford Elliott is also Past Chairperson, Allegheny County Appellate Practice Committee, a member of the ABA Judicial Administration Division, and Vice Chair of the Pennsylvania Futures Commission on Justice in the 21st Century established by the Pennsylvania Supreme Court. She is a Fellow of the American Bar Foundation, a member of the National Association of Women Judges, the Women's Bar Association of Western Pennsylvania, the American Inn of Court, Pittsburgh



Chapter, the Matrimonial American Inn of Court, and the American Judicature Society. She has served on Executive Board of ABA Committee of Appellate Staff Attorneys and is a frequent lecturer on issues of Appellate Practice and Procedure;

Judge Ford Elliott was employed as a reading specialist by the Pittsburgh Board of Education from 1971 to 1977. She served as a Law Clerk to Senior

Judge Harry M. Montgomery, Superior Court of Pennsylvania, 1977-1980; Administrative Assistant to then-President Judge William F. Cercone, Superior Court of Pennsylvania, 1980-1982; Chief Staff Attorney Superior Court of Pennsylvania, 1982-1988; and as a lawyer with the firm Kirkpatrick and Lockhart, 1988-1989. She was elected Judge of the Superior Court of Pennsylvania in November, 1989.

JUDGE J. MICHAEL EAKIN

Judge J. Michael Eakin was elected to a ten-year-term as a Superior Court judge in November, 1995. Born in Mechanicsburg, Pennsylvania on November 18, 1948, Judge Eakin graduated from Franklin & Marshall College in 1970 and earned a J.D. from the Dickinson School of Law in 1975.

From 1975 to 1983, Judge Eakin served as an assistant district attorney in Cumberland County, and in 1983 was elected District Attorney, an office in which he served until 1995. He also maintained a private law practice from 1980 to



1989. Judge Eakin served on the executive committee of the Pennsylvania District Attorneys Association for seven years, and in 1992-93, served as president of that organization. He also served on the board of directors and as president of the Pennsylvania District Attorneys Institute, and on the Criminal Law Symposium Planning Committee of the Pennsylvania Bar Institute. He is currently Chair of the Pennsylvania Supreme Court Criminal Rules Committee.

JUDGE MICHAEL T. JOYCE

Judge Michael T. Joyce was born Feb. 24, 1949 in Pittsburgh. He received his B.A. from the Pennsylvania State University in 1973 and was awarded a J.D. from the Franklin Pierce Law Center in 1977. Judge Joyce served as a staff sergeant, U.S. Army Intelligence, from 1967-70. He served with the 25th Infantry Division in Vietnam from 1969-70. He was a Presidential Law Clerk in The White House in 1975, and maintained a private law practice from 1977-85.

He was appointed judge, Erie County Court of Common Pleas in July 1985, elected to a ten-year term



in November 1985, and retained for an additional term in November 1995.

The Judge is a member of the Pennsylvania Trial Lawyers Association, Pennsylvania Trial Judges Association, American Judicature Society, and the Domestic Relations Association of Pennsylvania, the Kiwanis Club of Erie, Veterans of Foreign Wars, Vietnam Veterans of Pennsylvania, American

Legion, Millcreek Youth Athletic Association and serves as an Explorer leader, Boy Scouts of America. He was elected a judge of the Superior Court in November 1997.

JUDGE CORREALE F. STEVENS

Judge Correale F. Stevens was born Oct. 6, 1946, in Hazleton. Judge Stevens was graduated from Pennsylvania State University with a Bachelor of Arts degree in 1964, and from Dickinson School of Law with a J.D. in 1972. While in law school, he was an associate editor of the Dickinson Law Review.

Judge Stevens was engaged in the private practice of law, served as Hazleton City Solicitor from 1976-79 and Hazleton City Authority Solicitor from 1979-84. He was named Outstanding Young Pennsylvanian by the state Jaycee organization and served on the executive board of the



Wilkes-Barre Law and Library Association.

In 1980, Judge Stevens was elected to the Pennsylvania House of Representatives, and was re-elected in 1982, 1984 and 1986. In 1987 he was elected District Attorney of Luzerne County, and in 1991 he was appointed to the Court of Common Pleas of Luzerne County and elected to a full term that same year. In

November 1997, Judge Stevens was elected to the Superior Court. He is married to the former Joyce Slovak and the couple has three children.

JUDGE JOHN L. MUSMANNO

Judge John L. Musmanno was born March 31, 1942, in McKees Rocks. He received a Bachelor of Arts degree from Washington & Jefferson College in 1963, graduating Phi Beta Kappa, and a Juris Doctor from Vanderbilt University School of Law in 1966, where he was assistant editor of the Vanderbilt Law Review.

Judge Musmanno is a member of the Allegheny County Bar Association; an honorary master, American Inns of Court, Pittsburgh chapter; member, ISDA, Sons of Italy, and the Italian Heritage Society.



He received the President's Award, Pennsylvania Trial Lawyers Association in 1991, and the Academy of Trial Lawyers of Allegheny County award in 1993.

He maintained a private law practice, 1966-81, was elected district justice, 1970-81 (specially assigned city court magistrate 1970-73); elected judge, Allegheny Court of Common Pleas,

1982-90; and was the administrative judge, civil division, Allegheny Court of Common Pleas, 1990-97. In November 1997, he was elected to the Superior Court.

JUDGE JOAN ORIE MELVIN

Judge Joan Orie Melvin was born in Pittsburgh. She attended the University of Notre Dame, where she received a B.A. in Economics in 1978, and Duquesne University School of Law, where she was awarded a J.D. in 1981. From 1981-1985 Judge Orie Melvin served as corporate counsel and was engaged in a private law practice, concentrating in civil litigation before she was appointed Magistrate City of Pittsburgh Municipal Courts, in 1985. She was then named Chief Magistrate in 1987 for the City of Pittsburgh Municipal Courts. In this position Judge Orie Melvin established Pennsylvania's first Domestic Violence Court.

In 1990, Judge Orie Melvin was appointed Judge to a vacancy on the Allegheny County Court of Common Pleas and later was elected to a full term in 1991. There, she served in the civil, criminal and family divisions.



Judge Orie Melvin is a member of the Allegheny County Bar Association and the Allegheny County Women's Bar Association. She is Past President of the Allegheny County Prison Board. She has also served as a member of the Board of Directors of the Vincentian Home, member of the United Way Community Problem Solving Troubled Youth Committee, American Heart Association; St. Lucy's Guild for the Blind; and the Make-A-Wish Foundation. Judge Orie Melvin was the recipient of the YMCA of Greater Pittsburgh - A Tribute to Women Leadership Award in Government/Public & Civic Service. She has also been named Woman of the Year by Duquesne University Women Law Students' Association. She was elected to the Superior Court in November of 1997.

JUDGE BERLE M. SCHILLER

Judge Schiller was born June 17, 1944 in Brooklyn, N.Y. He received a B.A. from Bowdoin College in 1965 and a J.D. from N.Y.U. Law School in 1968.

In 1971, Judge Schiller served as Deputy Director of Personnel for the Commonwealth of Pennsylvania. In 1971-72, while a member of the Pennsylvania Department of Justice, he established and directed the Narcotics Strike Force. He was commissioned a Captain in the Pennsylvania National Guard, Judge Advocate General Corps. Judge Schiller was a litigator and senior partner with Astor, Weiss & Newman from 1972 to 1994.

The Supreme Court of Pennsylvania appointed Judge Schiller to the Disciplinary Board of the Supreme



Court, where he served from 1989 to 1995. He also has served as chairman of the Board of Directors of PATH, Inc. (A non-profit community-based mental health center); board member and general counsel, Northeast Center for Mental Health/Mental Retardation; and president and member of the Lower Merion Home and School Association.

Judge Schiller was named Chief Counsel for the Federal Transit Administration of the U.S. Department of Transportation, a post he held from 1994 to 1996. In May 1996, Governor Tom Ridge appointed him to the Superior Court of Pennsylvania.

JUDGE MAUREEN E. LALLY-GREEN

Judge Maureen E. Lally-Green was born in Sharpsville, Mercer County, Pennsylvania. She is the first of eight children of Charlotte and Francis L. Lally, M.D. (now deceased). Following graduation from Kennedy Christian High School, she majored in mathematics and minored in English at Duquesne University and graduated with a degree in Secondary Education (1971). She then graduated from Duquesne University's School of Law (1974) and is said to be the first female law school graduate from Mercer County.

Judge Lally-Green's early career spanned work as an associate with a private law firm in Pittsburgh, and as counsel to the Commodity Futures Trading Commission (Washington, D.C.) and, then, as both litigation and corporate counsel to Westinghouse Electric Corporation (now CBS). In 1983, she joined the faculty of Duquesne University School of Law where she worked full-time becoming a full Professor of Law in 1992. In 1998, she was appointed to the Superior Court and, in 1999, was elected to a ten-year term. The Judge also served as a consultant to Mr. Chief Justice John P. Flaherty, Supreme Court of Pennsylvania, and earlier with former Justice Nicholas P. Papadakos before she became a Judge.

The Judge has been active in both her profession and her community. She has served through appointment on:



the Criminal Procedural Rules Committee of the Supreme Court; Hearing Committee of the Disciplinary Board of the Supreme Court; the Governor's Committee to select nominees for Judge on the Court of Common Pleas of Butler County; a Butler County Committee studying the County's court systems; the Zoning Hearing Board of Cranberry Township; and Pennsylvania

Bar Association's Commission on Women in the Profession. She has also served through election as a Board Member or Officer of: the Allegheny County Bar Association since 1992; Partners of the Americas since 1990; and the Duquesne undergraduate and law alumni associations. In addition, she has authored or co-authored numerous articles which are published in various law reviews in the United States and in Rome, Italy.

She has been recognized for her achievements a number of ways, including: Woman of the Year (Duquesne Women Law Students); Outstanding Alumnus Award (Kennedy Christian High School); Who's Who in American Law; Who's Who Among American Women; Who's Who in Emerging Leaders; and, Fellow in International Development, W.K. Kellogg Foundation. Judge Lally-Green and her husband, Stephen Ross Green, Esq., are the parents of three children. They reside in Butler County.

PRESIDENT JUDGE EMERITUS WILLIAM F. CERCONO

Judge William F. Cercone was born in Stowe Township, Pennsylvania. He received his B.A. from the University of Pittsburgh in 1936, and his LL.B. from Duquesne Law School in 1941. During World War II he served as lieutenant in the U.S. Navy with the amphibious forces in the Pacific.

Judge Cercone has served as Assistant District Attorney of Allegheny County. He was Chief Prosecutor in the case of *Commonwealth v. Steve Nelson*, a case involving communist activity in Pennsylvania. Steve Nelson was one of the persons responsible for turning over atomic bomb secrets to communist Russia. Also served as Special U.S. Deputy Attorney General of Pennsylvania, and Special Assistant to the U.S. Attorney General in assisting in the preparation of appeals in the communist cases during the 1960-70 period on behalf of the government. Attorney for the U.S. Army Engineers in Pennsylvania and Ohio. Past President of the Pennsylvania Judicial Board of Inquiry and Review.

Judge Cercone served on the Court of Common Pleas of Allegheny County from 1956-68. He was elected to the Superior Court in 1968 and became President Judge on



January 2, 1979, whereupon he arranged for the American Judicature Society study of the work of the Superior Court. Upon completion of study, the report stated, "The Pennsylvania Superior Court has for some years been one of the most overworked appellate courts in America in terms of caseload and number of written opinions per judges per year... it is evident that the judges of the court have had as much

work to do, and have evidently done as much work as human beings reasonably could be expected to do." As a result of Judge Cercone's efforts, the people of Pennsylvania approved, by referendum and the legislature by law, an increase in the court of eight additional members.

He has been a senior judge since his retirement in 1983. He was honored by the Academy of Trial Lawyers of Western Pennsylvania "for achieving undelayed justice through sympathetic understanding, distinguished ability and tireless dedication to the eternal principles of right." Judge Cercone and wife Amelia have 8 children and 9 grandchildren. His chambers are located in Pittsburgh.

SENIOR JUDGE JOHN P. HESTER

Judge John P. Hester is a native of McKeesport, Allegheny County. He received his B.A. from Duquesne University and his J.D. from the Law School of the University of Pittsburgh.

Judge Hester has lectured at the Institute of Legal Medicine at the University of Rome, and at the International Institute of Comparative Law in Rome. He has served as a trustee of Mercy Hospital and the Mercy Hospital Foundation. He is the recipient of the Saint Thomas More Award, and was selected by Duquesne University as one of the University's one hundred outstanding graduates. He was an original member of the Allegheny County Hospital Financing Authority where he served as Vice President. He is



President of the Stephen Foster Community Center and the C.Y.A. He is Chairman of the Allegheny District Chapter of the National Multiple Sclerosis Society.

Judge Hester served on the Court of Common Pleas of Allegheny County from 1960 to 1977 and as administrative judge of that court during 1976 and 1977. Prior to ascending the

bench, he had been a Deputy Attorney General. He was elected to the Superior Court of Pennsylvania in 1977 and served the Commonwealth in that capacity until his retirement in 1983 when he was designated as a senior judge by the Supreme Court. Judge Hester's chambers are in Pittsburgh.

SENIOR JUDGE JOHN G. BROSKY

Judge John G. Brosky was born on August 4, 1920. He graduated from the University of Pittsburgh and received his LL.B. and his J.D. from the University of Pittsburgh Law School.

Judge Brosky serves on the Board of Visitors of the Law School, University of Pittsburgh; the Family Law Section and Professionalism Committee,

Pennsylvania Bar Association; Appellate Practice Committee, Allegheny County Bar Association, and is a Fellow of the Pennsylvania Bar Foundation and a Fellow of the American Academy of Matrimonial Lawyers. Judge Brosky is Past President of the Pennsylvania Conference of State Trial Judges, former faculty member of the Pennsylvania Trial Lawyers Association; among his awards, he received the George Washington Honor Medal from Freedoms Foundation at Valley Forge in 1990 and he was honored as the 1989 recipient of the St. Thomas More Award given by the legal profession of Allegheny County and the Catholic Diocese of Pittsburgh, Man of the Year, Kosciuszko Foundation, 1991. He sits as a Judge for Moot Court competition at the University of Pittsburgh and Duquesne University. He was chosen 1994 Man of the Year, Law and Government, by Vectors/Pittsburgh; 1995 Man of the Year, Air Force Assn., Pa., and; 1995 Pride in Pennsylvania Award by Commissioners of



Allegheny County. He received an Honorary Doctor of Public Service Degree in 1996 from La Roche College.

Judge Brosky is named in Two Thousand Notable Americans, World Biographical Hall of Fame, Who's Who in American Law, International, Who's Who of Intellectuals; Men of Achievement, and Man of the Year 1990,

American Biographic Institution.

Judge Brosky served in the South Pacific during World War II. He is now retired as a Major General in the Pennsylvania Air National Guard. He and his wife, Rose, have three children; John, a patent attorney in Alexandria, Virginia; David, an attorney in Pittsburgh; and, a daughter, Carol, Domestic Relations Counselor, Family Division, Common Pleas Court, Allegheny County.

Judge Brosky was appointed to the Allegheny County Court in 1956 and elected to a full term in 1957. He was appointed to the Allegheny County Court of Common Pleas in 1960, and elected to a full term in 1961. He was reelected in 1971. Judge Brosky served as Administrative Judge of the Family Division beginning in 1970 until he was elected to the Superior Court in 1980. His chambers are in Pittsburgh.

SENIOR JUDGE PETER PAUL OLSZEWSKI

Judge Peter Paul Olszewski, of Wilkes-Barre, Pennsylvania, graduated from Wyoming Seminary, Lafayette College, and St. John's University School of Law. He is a member of Pi Delta Epsilon (honorary collegiate journalism fraternity). Instructor, King's College, Wilkes-Barre, "Constitutional Limitations on Evidence in Criminal Cases" - 1969-70. During World War II, Judge Olszewski served with the United States Army in the China-Burma-India Theatre of Operations.

Judge Peter Paul Olszewski was a trial lawyer for fifteen years before he was elected to the Court of Common Pleas of Luzerne County, where he served as a trial judge for sixteen years. In 1983, Judge Olszewski was elected to the Superior Court of Pennsylvania.

Judge Olszewski has served on the boards of trustees of



College Misericordia and the Wilkes-Barre Campus of the Pennsylvania State University. He is an honorary Director of St. John's University Law School Alumni Association. He has received the Liberty Under Law Award, Fraternal Order of Eagles, the Distinguished Law and Justice Award of the Deputy Sheriffs' Association of Pennsylvania, the Distinguished Law and Justice Award of County and State Detectives Association of Pennsylvania, and is a past member of the Interfaith Council. He is also active in the American Bar Association, the Pennsylvania Bar Association, and the Wilkes-Barre Law and Library Association, and is a Fellow of the American Bar Foundation. He is also an Honorary Lifetime Member, Frank Albert State Police Lodge.

JUSTICE FRANK J. MONTEMURO, JR.

Justice Frank J. Montemuro, Jr., was born on October 27, 1925, in Philadelphia. He attended Temple University and received his LL.B. from Duke University Law School. During World War II, he served in the U.S. Navy with the amphibious forces in the Pacific.

Justice Montemuro is currently in his 35th year on the bench. He was appointed to the trial bench in 1964 and successfully ran for a ten-year term in 1965. In 1968 he was elected the Administrative Judge of Philadelphia's twenty-judge Family Court Division and re-elected for additional five-year terms in 1973 and again in 1978. He was appointed to the Superior Court in 1980 and was elected to a full ten-year term as the nominee of both parties in 1983.

Justice Montemuro was appointed by Governor Scranton to chair the Philadelphia Regional Planning Council, Law Enforcement Assistance Administration. He has also served on the Joint State Government Commission Task Force and on the Philadelphia Judicial Council where he chaired the Sub-Committee on Judicial Administration. He was a member of the Governor's Advisory Committee, Juvenile Justice and Delinquency Prevention Act of 1974. He has served as Chairman of the Domestic Relations Committee of the Pennsylvania Conference of State Trial Judges, and served a four-year term on the Judicial Inquiry and Review Board.

Justice Montemuro served as both State and National President of the Order Sons of Italy in America. He was thrice decorated by the President of the Republic of



Italy and in 1982 he was awarded the Papal Honor of Knight Commander of the Order of St. Gregory the Great by Pope John Paul II.

Justice Montemuro authored the "Doctrine of Exhaustion of Union Remedies" for the Duke Bar Journal and, "The Family—One Hundred Years of Neglect" for the Journal of Sociology and Social Welfare.

The Justice's chambers are in the Aramark Tower in Philadelphia.

On September 18, 1992, Justice Montemuro was appointed by Governor Robert Casey to the Supreme Court of Pennsylvania. On November 16, 1992, Justice Montemuro was unanimously confirmed by the Senate, and on November 19, 1992, was sworn in as Justice of the Supreme Court of Pennsylvania by Chief Justice Robert N.C. Nix, Jr.

On January 3, 1994, Justice Montemuro was appointed as Senior Justice of the Supreme Court of Pennsylvania and served on that capacity until January, 1996. Justice Montemuro is currently a Senior Judge on the Superior Court of Pennsylvania.

On July 26, 1996, Justice Montemuro was appointed by the Supreme Court of Pennsylvania as Special Master in Pennsylvania State Association of County Commissioners, et al. v. Commonwealth of Pennsylvania, et al., 681 A 2d 699 (Pa. 1996). On July 31, 1997 the report authored by Justice Montemuro was filed with the Supreme Court of Pennsylvania, recommending a four phase transition to state funding of the unified judicial system.

JUDGE PHYLLIS W. BECK

Phyllis W. Beck is a magna cum laude graduate of Brown University. She earned a J.D. from Temple Law School in 1967 where she was first in her class. After practicing law, she taught at Temple Law School and then was Vice Dean at the University of Pennsylvania Law School.

Since 1981, she has been a judge of the Superior Court, the intermediate appellate court in Pennsylvania. Initially appointed by Governor Thornburgh in 1981, she was elected statewide to a ten-year term in November 1983, and retained in office in 1993.

Judge Beck is known as a strong advocate for judicial reform. As chair of the Governor's (Casey) Commission on Judicial Reform, Judge Beck authored a 190 page report recommending major structural reform in Pennsylvania's Judicial System. Since the late 1980's she has been actively pursuing judicial reform. The nationally recognized American Judicature Society awarded her the Herbert Harley Award for her leadership role in the field, especially her work with Pennsylvanians for Modern Courts.

Her scholarly articles, published in a variety of law reviews, reflect her interest in issues relating to women, the family and equality, among others. She authored two articles on the Pennsylvania Equal Rights Amendment, and a study on the metamorphous of the American family. The next Temple Law Review will



publish her article on racial profiling in the criminal justice system.

As to her community activity, she is chair of the Independence Foundation, the ninth largest foundation in the Delaware Valley. She is vice president of the Free Library of Philadelphia. She has specific interests in children. She was a founding member and president of Philadelphia Futures, an organization formed 10 years ago to mentor children. She is currently on the board of Philadelphia READS, the local initiative of the national program of America READS.

She is a member of the American Law Institute, a Board Member at Villanova Law School and Temple Law School and the American Judicature Society, an Overseer of the University of Pennsylvania School of Nursing, and a board member of the Museum of American Jewish History, the Delaware Valley Grant Makers, and President of the Foundation for Cognitive Therapy.

She is the recipient of two honorary degrees, the Judicial Award of the Pennsylvania Bar Association, the Anne X. Alpern Award of the Pennsylvania Bar Association's Commission on Women, the Brennan Award of the Philadelphia Bar Association, and the Murray Award of National Association of Women Judges.

PRESIDENT JUDGE EMERITUS VINCENT A. CIRILLO

Judge Vincent A. Cirillo was born on December 19, 1927 in Ardmore. He received his Bachelor of Arts degree from Villanova University and J.D. from Temple University School of Law. Judge Cirillo served with the Army during the Korean War. He has served as a Commissioner of Lower Merion Township, Assistant District Attorney and Assistant Solicitor of Montgomery County.

In 1986, Judge Cirillo was appointed by Governor Thornburgh to the Advisory Board of Probation and Parole. He has served on the Supreme Court's Advisory Committee on Appellate Court Rules; as vice-chairman of the Judicial Education Committee of the Pennsylvania Conference of State Trial Judges; on the Statewide Computerization Committee; and on the Judicial Administration Committee of the Pennsylvania Bar Association. Judge Cirillo serves on the Freedoms Foundation Board of Trustees. Judge



Cirillo is the author of "Commonwealth v. Elmo Lee Smith, the Split Verdict Law in Action", "Windows for Discretion in the Pennsylvania Sentencing Guidelines", "Curtis v. Kline: The Pennsylvania Supreme Court Declares Act 62 Unconstitutional—A Triumph for Equal Protection Law" and a co-author of "Reflections on the Congressional Commerce Power."

Judge Cirillo was appointed to the Court of Common Pleas in 1971, and elected to a ten-year term the following year. In 1979, while on the Court of Common Pleas, Judge Cirillo was specially designated by the Chief Justice of Pennsylvania to sit on the Superior Court. In 1981, the Judge was elected to the Superior Court for a ten-year term, and retained in 1991 for another ten-year term. Judge Cirillo served as President Judge from 1986 to 1991. The Judge has his chambers in Bala Cynwyd.

JUDGE PATRICK R. TAMILIA

Judge Patrick R. Tamilia was born in Pittsburgh. He attended Duquesne University, where he received his B.S., did graduate work, and received his J.D. from the School of Law. Judge Tamilia served with the U.S. Marine Corps, and received a commission as an officer in the U.S. Army Artillery.

He has served as Chairman of the Family Law Sections of the Pennsylvania and Allegheny County Bar Associations and the Juvenile Judges section of the Pennsylvania Conference of State Trial Judges; member of the Supreme Court Domestic Relations Committee and the Pennsylvania Department of Welfare, Task Force on Mental Health. Judge Tamilia was instrumental in the creation of the Neuropsychiatric Assessment Unit for Violent Children, the Parental Stress Center, and Infant Abuse Agency; Booth Parenting Program for unwed mothers and numerous other treatment programs for delinquent and dependent children. He has authored numerous articles on juvenile delinquency, mental health and family court.

Judge Tamilia is the Professor of Family Law,



Duquesne University School of Law, and a member of the Supreme Court Committee on Comprehensive Education. Among his numerous awards are the Duquesne University Distinguished Alumnus Award, College of Arts and Science; Charter Membership in the Century Club of Distinguished Alumni of Duquesne University; the Columbus 500

Distinguished Citizen Award; and the ACBA Juvenile Justice Award, 1991. He was chairman of the Public Safety and Criminal Justice Task Force of the Allegheny County 2001 Project. After serving two terms as National President of the Italian Sons and Daughters of America, he now holds the position of Honorary National President. He is a Board Member of the Program for Female Offenders and Counselor of the Matrimonial American Inn of Court.

Judge Tamilia was elected to the Court of Common Pleas in 1969. In 1983 he was elected to a ten-year term on the Superior Court and won retention in 1993. Judge Tamilia's chambers are in Pittsburgh.

History of the Superior Court

In 1895, the Pennsylvania General Assembly established the Superior Court to hear appeals from decisions of the Courts of Common Pleas of the Commonwealth. From time to time, the legislature has expanded the Court's jurisdiction, and today it decides appeals touching almost every aspect of life and commerce in the state, including family matters, such as child custody, visitation, adoption, divorce, and support; criminal cases; issues concerning wills and estates; property disputes; and cases involving damages for breach of contract or personal injury. The judges of the Court are also responsible for hearing applications made by the Attorney General and district attorneys under the Wiretapping and Electronic Surveillance Control Act.

The Superior Court is often the final arbiter of legal disputes in Pennsylvania. Although the Supreme Court may grant a petition for an appeal from a decision of the Superior Court, in the large majority of cases, such petitions are denied. Appeals allowed to the United States Supreme Court are even more infrequent.



The Superior Court was originally composed of seven judges who gathered at the three forums of the Court in Harrisburg, Philadelphia and Pittsburgh to hear every case. The Supreme Court, in 1978, citing the "exceedingly heavy vol-

ume of appeals coming to the Superior Court," exercised its constitutional supervisory powers over Pennsylvania courts to order the Superior Court to begin sitting in panels of three judges composed of a Supreme Court justice, a Superior Court judge, and a Common Pleas judge. By rule, the Supreme Court provided that each panel would constitute a quorum and speak for the entire Superior Court.

In 1979, the voters approved an amendment to the Pennsylvania Constitution providing that the Superior Court be enlarged permanently. Pursuant to this constitutional change, the General Assembly in 1980 provided for the gubernatorial appointment of eight additional judges. By the start of 1986, all fifteen Superior Court seats had been filled by election.

Under statute, judges gain seniority by length of continuous service on the Court, with elected judges receiving seniority over those serving interim terms by appointment. Judges elected or appointed together determine seniority by lot. The president judge is chosen by election of the Court to serve a five-year term. Except for cases in which the Court specially orders consideration by an en banc panel of nine judges, the Court continues to sit in three-judge panels, assisted by senior judges specially appointed by the Supreme Court.

JUDGES OF THE COURT

Charles E. Rice	1895	Chester H. Rhodes	1935	John G. Brosky	1980**
James A. Beaver	1895	William E. Hirt	1939	Richard B. Wickersham	1980
Howard J. Reeder	1895	Charles E. Kenworthy	1941	Richard DiSalle	1980
George B. Orlady	1895	Claude T. Reno	1942	Justin M. Johnson	1980*
John J. Wickham	1895	F. Clair Ross	1945	Frank J. Montemuro, Jr.	1980**
Edward N. Willard	1895	W. Heber Dithrich	1945	Zoran Popovich	1980*
Henry J. McCarthy	1895	John C. Arnold	1945	Perry J. Shertz	1980
Peter P. Smith	1896	John S. Fine	1947	Phyllis W. Beck	1981**
William W. Porter	1897	Blair F. Gunther	1950	Stephen J. McEwen, Jr.	1981*
William D. Porter	1898	J. Colvin Wright	1953	Vincent A. Cirillo	1982**
Dimner Beeber	1899	Robert E. Woodside	1953	James E. Rowley	1982
John I. Mitchell	1900	Harold L. Ervin	1954	Peter Paul Olszewski	1984**
Thomas A. Morrison	1902	Phillip O. Carr	1956	Joseph A. Del Sole	1984*
John J. Henderson	1903	G. Harold Watkins	1957	Patrick R. Tamilia	1984**
John B. Head	1906	Harry M. Montgomery	1960	John T.J. Kelly, Jr.	1986*
John W. Kephart	1914	Gerald F. Flood	1961	James R. Melinson	1988
Frank M. Trexler	1914	Robert Lee Jacobs	1965	Joseph A. Hudock	1990*
J. Henry Williams	1916	J. Sydney Hoffman	1965	Kate Ford Elliott	1990*
William H. Keller	1919	Theodore O. Spaulding	1966	Thomas G. Saylor	1994
William B. Linn	1919	John B. Hannum	1968	D. Donald Jamieson	1995
Robert S. Gawthrop	1922	William F. Cercone	1969**	J. Michael Eakin	1996*
Jesse E.B. Cunningham	1926	Israel Packel	1971	Berle M. Schiller	1996*
Thomas J. Baldridge	1929	Edmund B. Spaeth, Jr.	1973	Michael T. Joyce	1998*
J. Frank Graff	1930	Gwilym A. Price, Jr.	1974	Correale F. Stevens	1998*
John G. Whitmore	1930	Robert Van der Voort	1974	John L. Musmanno	1998*
James B. Drew	1931	Donald E. Wieand	1978	Joan Orie Melvin	1998*
Joseph Stadtfeld	1931	John P. Hester	1978**	Maureen E. Lally-Green	1998*
William M. Parker	1932	Abraham H. Lipez	1978		
Arthur H. James	1933	James R. Cavanaugh	1979*		

PRESIDENT JUDGES

Charles E. Rice	1895-1915	Chester H. Rhodes	1947-1965	Edmund B. Spaeth, Jr.	1983-1986
George B. Orlady	1915-1925	Harold L. Irvin	1965-1967	Vincent A. Cirillo	1986-1991
William D. Porter	1925-1930	J. Colvin Wright	1968-1974	James E. Rowley	1991-1996
Frank M. Trexler	1930-1935	G. Harold Watkins	1974-1978	Stephen J. McEwen, Jr.	1996-
William H. Keller	1935-1945	Robert Lee Jacobs	1978-1979		
Thomas J. Baldridge	1945-1947	William F. Cercone	1979-1983		

Administrative Offices

OFFICE OF THE EXECUTIVE ADMINISTRATOR

The Executive Administrator is the chief administrative officer of the Court and is directly responsible to the President Judge for the performance of administrative assignments necessary for the efficient operation of the Court. He manages the business and judicial administrative operations of the Court and oversees the various administrative offices within the Court. He also is a liaison between the Superior Court and the Administrative Office of Pennsylvania Courts, the other appellate courts, and the public in general.

The Executive Administrator is responsible for all of the fiscal operations of the Court. This includes preparing the Court's annual budget and monitoring the Court's expenditures of its appropriations. The Office was restructured in 1996 and a new position, Budget/Fiscal Coordinator, was established to assist in the budgetary duties of the Office. The Executive Administrator also supervises the daily processing of

invoices for goods and services applied to the Court, and the procurement of supplies.

Business responsibilities also extend to other operations within the Court such as the administration of the 206 individuals who serve the court, and includes maintenance of all personnel records, preparation of all personnel transaction forms, record keeping of all leave time, and resolution of questions and problems relating to personnel. In addition, the Executive Administrator is responsible for the administration of telecommunications within the Superior Court, including all staff and judicial offices, and the management of the facilities used by the Court.

The office of the Executive Administrator is in Philadelphia, and the Budget/Fiscal Coordinator is located in Harrisburg.

OFFICE OF THE PROTHONOTARY

The Prothonotary's office employs two deputy prothonotaries and thirty-six supporting staff under the immediate supervision of the Prothonotary. Offices are maintained at 530 Walnut Street in Philadelphia, the Fulton Building in Harrisburg, and the Grant Building in Pittsburgh.

Attached to the Prothonotary's office is the function of the Court Crier. The Court Crier is responsible for indexing, maintaining, and distributing all briefs filed with the Court, preparing the courtrooms, collecting and distributing materials for each court session, providing assistance to the judges during session, and assisting the public in their dealings with the Court.

As the filing office of the Court, the Prothonotary's office is responsible for docketing appeals, ancillary papers, and miscellaneous motions; collecting appropriate fees; filing and circulating original records; corresponding with judges, litigants, and attorneys; processing and distributing court orders, opinions, and judgments; and scheduling submit and argument panel sessions as well as hearings on miscellaneous motions.

Caseflow management is another function of the Prothonotary. The primary focus of the caseflow manager is that period of time between the filing of a notice of appeal and the filing of the trial court record in the Superior Court. The caseflow manager monitors this stage of the appellate process to ensure that records are promptly filed and any deficiencies cured so that cases may reach their conclusion without delay.

CENTRAL LEGAL STAFF

The Central Legal Staff is composed of 19 attorneys who assist the Court in procedural and substantive matters under the direction of the President Judge. The Staff has offices in Philadelphia and Pittsburgh under the immediate supervision of the Chief Staff Attorney. Staff responsibilities include: screening all appeals for jurisdictional defects prior to listing before the Court; reviewing and screening cases for the Court's special treatment programs; assisting the Court in the processing of miscellaneous motions, applications for relief, and petitions for reargument; preparing bench memoranda on selected cases listed before the Court; reviewing panel decisions to assist the Court in avoiding the issuance of conflicting opinions; maintaining a computerized issue-tracking index of the Court's opinions for both conflict clearance and legal research

purposes; preparing position papers and memoranda of law on various substantive and procedural issues before the Court; and, conducting seminars for new law clerks.

Through the Chief Staff Attorney, the Staff may advise the Court and President Judge, either upon request or upon the Staff's own initiative, of recommended changes in court operations and procedures due to changes in the law or administrative policy.

The Staff also serves the Court by maintaining a central library and fulfilling requests for research materials from that library or from Philadelphia's Jenkins Law Library.

OFFICE OF THE RECORDER

The Recorder is responsible for the maintenance of all records pertaining to the judges' assignments. From the time a judge receives a case assignment until the decision is filed, all records associated with the case are entered and maintained on the computer. These records include votes, judges' suggestions, no-conflict letters, reargument petitions, and citations. It is from these computer-housed records that the Recorder's office prepares statistical information for the Court and monitors late votes, file letters, en banc cases and cases six months old or older.

Each judge receives a monthly "chambers" inventory, a "total court" inventory, panel reports, and an assignment list. A monthly Superior Court inventory and a list of disposition of cases by judge is also provided by this office to the Court.

The Recorder is the liaison with West Publishing Company, the Official Reporter of the Court. The

Recorder provides West with filed opinions, lists of memorandum decisions whose text is not published, and identification of those filed decisions in which petitions for re-hearing are pending. Case summaries are reviewed for inclusion in West's Atlantic Second Reporter to ensure the accuracy of docketing information. Correction letters are forwarded to West in the event an error is discovered or in response to a judge's request. The Recorder forwards to West for publication the transcripts of special, ceremonial sessions of the Court.

The Recorder also daily transmits to the computer legal research services, LEXIS and WestLaw, those opinions that have been filed. Not only does the Recorder provide information from the Court to the legal publishing/research companies, but she also provides the Court with the information from the publishers identifying the citations where the Court's recently published decisions can be found.

OFFICE OF LEGAL SYSTEMS

The Legal Systems Coordinator is responsible for the Court's computer operations and related data and information processing activities. With the help of the Legal Systems staff, which is located in Philadelphia and Pittsburgh, he advises and assists the President Judge, individual judges, and the various administrative offices of the Court in all aspects of the acquisition, programming and use of computers and office automation equipment, both hardware and software.

In 1996, the Legal Systems Office coordinated the wiring and computer installations in three new judges' chambers. The first steps were taken in acquiring the hardware and software for a complete upgrade of the Court's network servers and application software. Working together, the Superior Court, Supreme Court, and Commonwealth Court adopted a project plan for development of a new docketing and case manage-

ment system, and the initial contracts for the data modeling phase of this project were awarded.

The Legal Systems staff sets up new computer accounts when new staff join the Court, assists in training of new staff, provides orientation and training for existing staff when new software and hardware are installed, and coordinates all hardware and software maintenance, resolving problems whenever possible and referring other problems to the appropriate outside source.

The Legal Systems staff is responsible for the operation of the Court's computerized docketing and case management system. The Legal Systems Coordinator is also responsible for using the Court's computer resources to generate and analyze caseload statistics and to prepare statistical reports as requested for use by the Court and for submission to the Administrative Office of Pennsylvania Courts.



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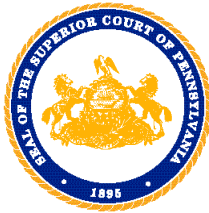


Penn's Treaty

Edward Hicks, 1840

the State Museum of Pennsylvania, PHMC

A Gift of Meyer P. and Vivian Potamkin



Superior Court of Pennsylvania