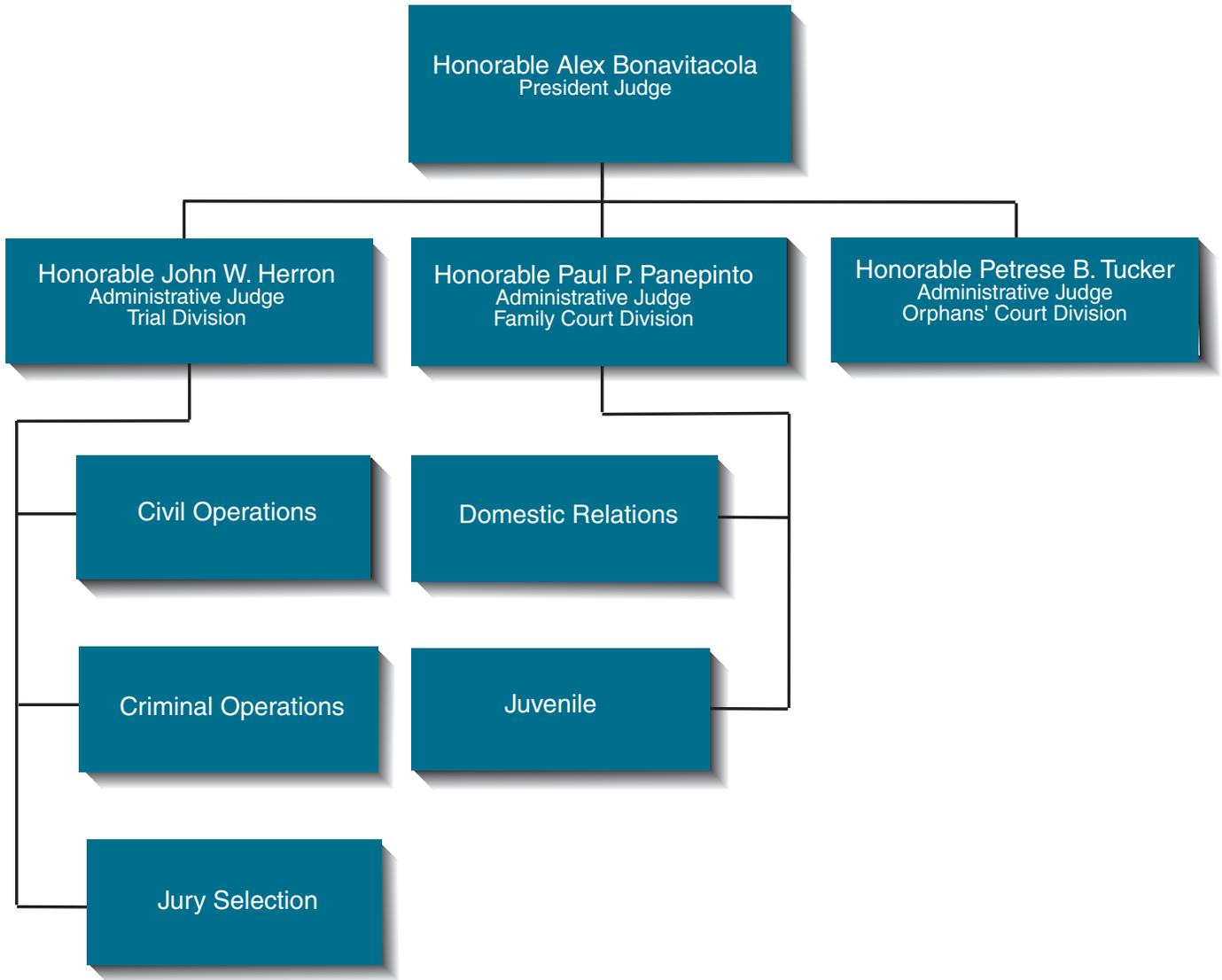


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## OVERVIEW

The 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 Court of Common Pleas of Philadelphia County is comprised of three divisions, each of which is administered by an Administrative Judge appointed by the Supreme Court. The divisions and their corresponding compliment of judges are the Trial Division — 67, the Family Court Division — 20, and the Orphans' Court Division — 3.

The current structure of the Philadelphia Court of Common Pleas was established by a 1968 amendment to the Constitution of 1874. By this amendment, the Court was organized into Divisions: the Trial Division handles criminal and civil cases; the Orphan's Court Division is responsible for estate and probate matters; and the Family Division has jurisdiction in domestic relations, adoptions, and juvenile cases.

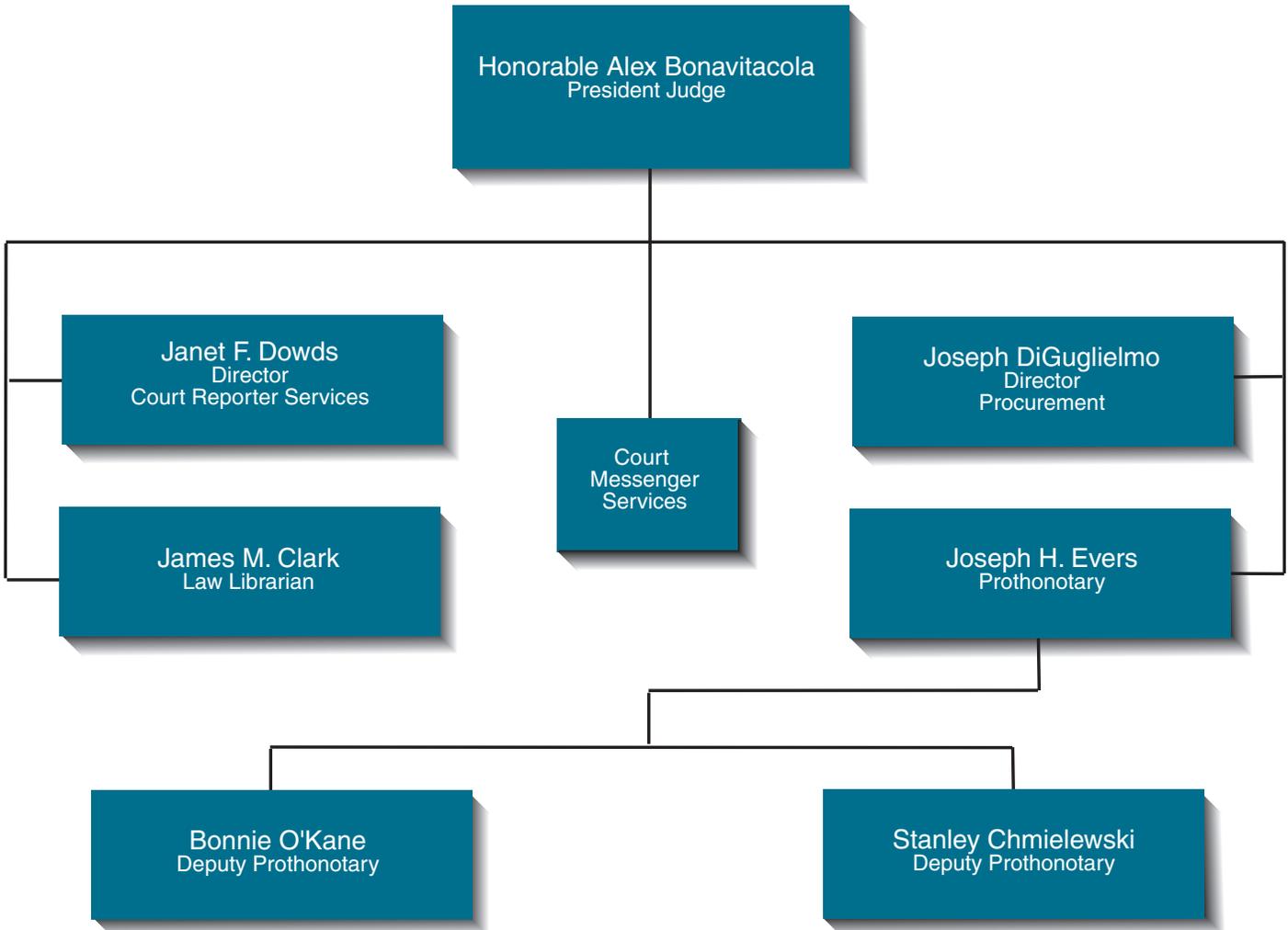
The Court of Common Pleas is headed by the President Judge. The biennium President Judge, Alex Bonavitacola, is also chairperson of the Administrative Governing Board, the upper-most level of the management structure of the First Judicial District.

The Common Pleas Court employs more than 2,150 people, more than any other court of the District. The Common Pleas judiciary, at 90 strong, accounts for most (more than 70%) of all the judgeships in the FJD. During the 1996-1997 Biennial Report period employees received and processed in excess of 280,000 new filings. The vast and comprehensive Common Pleas Court jurisdiction includes: Domestic Relations cases — Divorce, Custody, Child and Spousal Support, and Protection from Abuse; Juvenile cases — Delinquency, Dependency, and Adoptions; Criminal cases — homicide and felony trials, appeals from Municipal Court, Post Conviction Relief Act (PCRA) collateral appeals, probation violations, and others cases arising from criminal prosecution; all manner of Civil proceedings where amounts in question exceed \$10,000; and Orphans' Court estate and probate cases. Most of the business of the FJD is conducted in the Court of Common Pleas.



Criminal Justice Center  
Filbert Street entrance.

Organization





Alex Bonavitacola  
President Judge

### PURPOSE

The massive Court of Common Pleas of the First Judicial District is supervised by a President Judge who is elected for a five-year term by the judges of that Court.

### RESPONSIBILITIES

The President Judge wields considerable authority with extensive, myriad, and diverse responsibilities. As the leader of the largest court in the First Judicial District (FJD) and the Commonwealth, the President Judge of the Court of Common Pleas is charged with extraordinary and comprehensive duties and obligations. The biennium President Judge, Alex Bonavitacola, is also chair of the FJD Administrative Governing Board, the District's core management leadership group. With this dual role, President Judge Bonavitacola exemplifies the highest caliber of leadership, at the highest level, in fulfilling the description of President Judges contained in the 200-year-old Judicial Reorganization Act of 1791:

***"...a person of knowledge, integrity, skilled in the laws, shall be...the President and Judge of the courts of Common Pleas."***

As noted previously in the *Historical Perspective*, the establishment of the original five judicial districts of the Commonwealth, including the FJD, was largely defined by the provision for, and the appointment of, five President Judges.

The responsibilities of the Office of the President Judge include the assignment of judges, encompassing the posting of new judges to the various divisions of the court; the placement of Senior Judges to help dispose of Philadelphia County's case-inventory; and the appointment of out-of-county judges to assist in conflict cases. Also, the President Judge is

responsible for space allocation within the Court of Common Pleas and assignment of judicial chambers. Importantly, the office implements local rules and initiates administrative orders, directives, general court regulations, and legislative enactments. There are five major service centers under the aegis of the President Judge: 1) the Office of the Prothonotary; 2) the Court's Law Library; 3) Court Reporting Services; 4) Court Messenger Services; and 5) the First Judicial District's Procurement Unit.

The Office of the President Judge assigns a Common Pleas Court emergency judge each week who is available during off-court hours to dispose of emergency matters; and during elections, provides for judicial staffing of Election Court, with numerous satellite locations throughout the city, to enable voters to exercise their constitutional right to vote. Through a hearing officer, the Office of the President Judge entertains all petitions that seek to modify judgments issued against criminal defendants, 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 placed on inactive status, suspended or disbarred by the Supreme Court. Finally, the Office of the President Judge, through the Coordinator of Mental Health, supervises Court appointed Mental Health Review Officers who, pursuant to the amended Mental Health Procedures Act of 1976, hold hearings on behalf of the Court in four hospitals throughout the City, and at Norristown State Hospital. These regular court events further ensure access to justice for mental health patients, their families, counsel, treatment providers, and others. The Mental Health Review Officers conduct approximately 2,500 informal conferences and hearings each year.

*The President Judge's directive dramatically reduced the number of transcripts generated by the court and lightened the workload of department staff.*

### ACHIEVEMENTS

Under the leadership of President Judge Bonavita, many exciting and noteworthy improvements have taken place within the Philadelphia Court of Common Pleas during the 1996-1997 biennium, including the creation of an Attorney Disbarment Docket that removes inactive or disbarred attorneys from the Court-appointed attorney panel and from cases in which their appearance was entered. Other initiatives included the elimination of a Bail Forfeiture backlog, and the establishment of new policies and procedures governing the Mental Health Program, designed to better protect the rights and access of the citizens of Philadelphia, while fully complying with the Commonwealth's Mental Health Procedures Act.

Moreover, through the guidance of the Office of the President Judge, implementation of an automated court information line (215-686-7000) expands access to the public. Callers gain access to general court information, in English or Spanish, and, through a series of menu choices, they may be connected to offices that can best answer or resolve thousands of inquiries. This automated system capitalizes upon an existing voice mail system at no extra cost, and saves the First Judicial District valuable personnel time. More importantly, the information line provides twenty-four hour access to the court and its various departments.

Notable improvements were also seen on the Court Reporting front. The Common Pleas Court costs for provision of free copies of notes of testimony involving indigent criminal defendants exceeded \$1,000,000 in 1996, and surpassed \$950,000 in 1997. The amounts cited account only for per page payments to Court Reporters, and do not reflect costs for salaries,

facilities, equipment, or supplies and materials. Per page sums included costs for innumerable duplicate transcripts, and multiple copies of the same transcripts despite their having been provided earlier. In late 1997, President Judge Bonavita, relying on the findings of an expert management consultant draft report, directed that superfluous copies of transcripts no longer be provided. This directive dramatically reduced the number of transcripts generated by the court and lightened the workload of department staff. It has also considerably decreased Court expenditures for paper, supplies and postage. Moreover, the Court Reporting Department has modified the record archival system and significantly reduced substantial storage expenditures that the District continues to incur.

### DEPARTMENTS

**Court Reporter Services:** The Court of Common Pleas is a Court of Record. All court proceedings must be transcribed. The Court employs over 100 Official Court Reporters who are supervised by a Director with an administrative staff. The Director of Court Reporting Services, Janet Fasy Dowds, was appointed in August 1997. Ms. Dowds, has, since her appointment, initiated many improvements to the systems for provision of the official record.

Official Court Reporters are assigned to courtrooms to stenographically record testimony, arguments or other spoken presentations heard by judges. Reporters then provide copies of the transcripts of those proceedings to judges, the District Attorney's Office, plaintiff or defense attorneys, and to the Clerk of Quarter Sessions.

At the behest of the President Judge, a study of the Official Court Reporters in both Municipal and Common Pleas Courts was conducted by the National Center for State Courts in conjunction with the National Court Reporters Association during the 1996-1997 biennium. The study encompassed a wide range of topics, including reporter accountability, salaries, the use of per diem reporters, new technologies, record retention, and management operations. A comprehensive Draft Report was issued in 1997.

On the horizon, an exciting technological advancement will save the court time and money, and alleviate heavy burdens placed on judges, attorneys, and their briefcases. Minuscript is a computer software enhancement that generates condensed transcripts allowing eight pages to be printed on both sides of a single sheet of paper. Arguably, paper usage and costs could be reduced by as much as 88%. Implementation is targeted for 1998. This innovation will also have a tremendous effect on the environment and the production and storage costs of notes of testimony, enabling the District to better utilize finite resources.

**Law Library:** The mission of the Law Library, supervised by Law Librarian James M. Clark, is to provide support for the legal and general research activities of First Judicial District judges and other personnel. Toward that end, library workers pursue a full range of traditional and technologically enhanced information delivery strategies designed to

provide timely, accurate, and efficient access to the sources of law. Located in Room 600, City Hall, and relying on a collection of 40,000 volumes, Lexis/Nexis, the Internet, and First Judicial District networked resources, the main library offers access to three distinct and comprehensive libraries of law, general reference, and government information. In addition, four satellite libraries, each with a

standardized book collection, Lexis/Nexis, and network access, are situated within separate facilities housing Criminal, Family, Domestic Relations, and Complex Litigation Civil Court Judges.

Included among important library achievements during 1996-97 were the introduction of Internet access into library services, the creation and development of two branch libraries in the Criminal Justice Center and Family Court, and the retrospective conversion of over 1,000

book titles into machine-readable card format (MARC) that will significantly enhance implementation of an on-line public access catalog of library holdings. The library looks forward to meeting the following goals in 1998: increased Internet access; the introduction of CD-ROM technology into library services; and the completion of an on-line card catalog project that will ultimately provide First Judicial District Judges with desk-top access to the library's catalog.



Law Library - Criminal Justice Center

*Included among notable library achievements during 1996-97 were the introduction of Internet access into library services, the creation and development of two branch libraries in the Criminal Justice Center and Family Court...*



Joseph H. Evers  
Prothonotary

**Procurement Unit:** In 1990, the Pennsylvania Supreme Court completely reorganized the administrative structure of the Philadelphia Courts. As part of this reorganization, the First Judicial District, working in cooperation with the City of Philadelphia and the Administrative Office of Pennsylvania Courts (AOPC), was able to take control of Court procurement functions previously administered by the City and County of Philadelphia.

Located at 1801 Vine Street, the Procurement Unit, directed by Joseph DiGuglielmo, controls purchasing of all equipment and supplies, and administers all contracts for services within the District.

Activities of the Procurement Unit are intended to ensure that quality goods and services are expeditiously delivered to judges and staff at reasonable cost. Procurement Unit cost saving operational efficiencies reap benefits across the entire FJD. Cost savings fund technology enhancements, training, and space improvements. In 1996-1997, Procurement Unit reserves financed: the acquisition of the Criminal Court Computer System; the new Civil Court Case Management System; on-going upgrades and maintenance of the First Judicial District Wide Area Network (WAN); relocations and space renovations; and increased training opportunities for judiciary and staff.

**Office of The Prothonotary:** The Prothonotary is as significant in a historical context as it is indispensable in its modern day role as chief clerk of the civil Courts of the FJD. Historical references to the title "Prothonotary" hark back to the Ecclesiastical Court during the Middle Ages and the English

Court of the King's Bench. It has also been said to be the oldest and continuously held legal office in the Western hemisphere. In the contemporary sense, the Prothonotary is recognized as the clerk who keeps records and the great seal, issues process, enters judgment and certifies the record.

The Office of the Prothonotary was created under the provisions of Article 9, Section 4, of the Constitution of the Commonwealth of Pennsylvania. The duties, responsibilities,

and other provisions of the office are set forth under Title 42, Judiciary and Judicial Procedure, Section 2737 of Pennsylvania Consolidated Statutes.

The Prothonotary of Philadelphia is appointed by the judges of the Court of Common Pleas. In May of 1995, Joseph H. Evers was appointed

Prothonotary of Philadelphia. The Prothonotary is assisted by two Deputy Prothonotaries, Stanley J. Chmielewski and Bonnie O'Kane, as well as a support staff of 66 employees.

The Prothonotary is, by law, responsible for all the civil business of the Courts. The Prothonotary must maintain the seal of the Court and has the power and duty to administer oaths and affirmation and affix and attest the seal of the Court or Courts. In addition, the Prothonotary controls process and thereby establishes Court jurisdiction, certifies all pertinent documents and records and exemplifies the business of the Court, while entering all civil judgments and satisfactions of civil judgments. The Prothonotary is an officer of the Court; and has the authority to "exercise such other powers and perform such other duties as may now or hereafter be vested in or imposed upon the office by law...".

*The word "Prothonotary" is a combination of the Greek word "Protos" meaning "first" and the Latin word "Notarius", meaning "scribe or clerk". The most famous Prothonotary was the lawyer Andrew Hamilton.*

The Office of the Prothonotary receives in excess of 100,000 original civil filings each year and maintains a current inventory in excess of 500,000 active civil files.

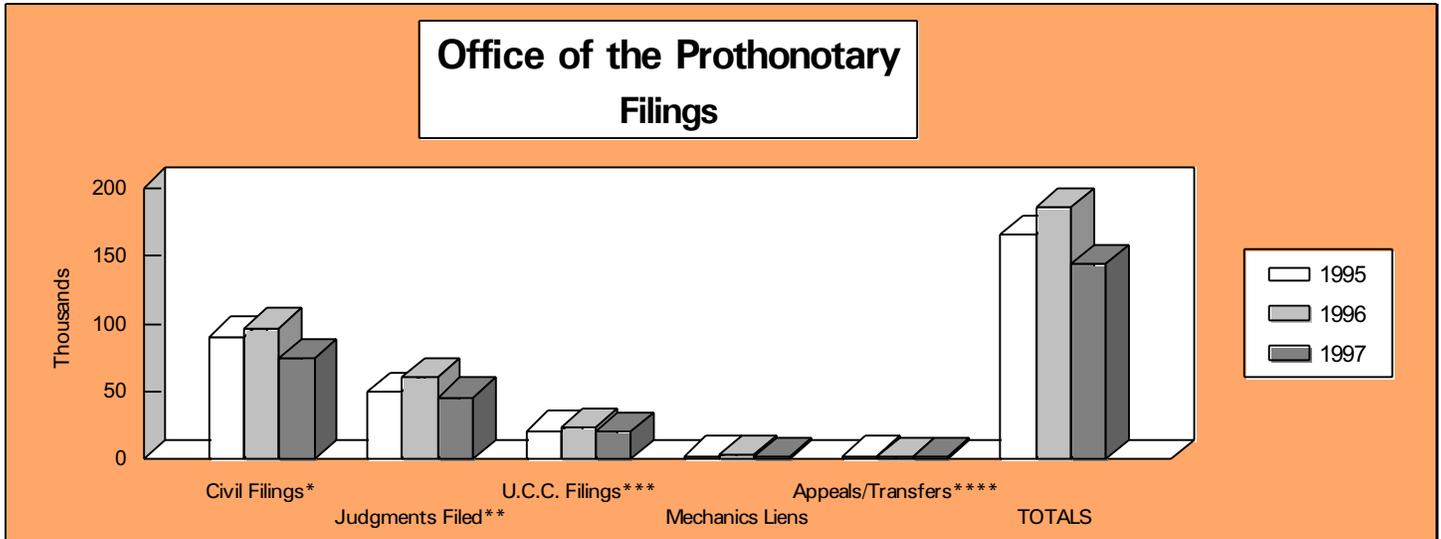
Within the previous two years, the Office of the Prothonotary has undertaken numerous initiatives:

- *Imaging of Uniform Commercial Code (UCC) Filings:* The immediate goal of this project is the integration of imaging technology within UCC procedures. The aims are to provide superior service through enhanced office facilities and efficient utilization of personnel resources, and to develop funds for reinvestment. The preparation and implementation of this system is a first in the United States and may serve as a model for the entire country.
- *High Density File Storage System:* The installation of an automated high density filing system has allowed for the consolidation of records in a central location. The space gained from this endeavor will provide for the return of records presently

stored off-site at great expense. Improvements are also expected to support more effective screening and destruction of records in accordance with record retention schedules.

- *Access to Court Data Via Internet:* With the support of Court Administration, data will be available to third parties via the Internet for a fee, expanding access. With the leadership of the Prothonotary at the forefront of technological advancement and modern managerial practices, change continues to be predicated on the principle that productivity and cost benefits arise from enhanced staff morale.

The facilities of the Office of the Prothonotary are a source of pride for the First Judicial District as evidenced by the many visits from interested Court personnel throughout the country and the world. The office's dedication inspires employees and the public to enjoy successes today that will likely continue well into the future.



	1995	1996	1997
Civil Filings*	90,188	96,531	74,435
Judgments Filed**	49,657	60,324	45,670
U.C.C. Filings***	20,837	23,329	20,221
Mechanics Liens	2,633	2,844	1,488
Appeals/Transfers****	2,146	1,982	1,529
<b>TOTALS</b>	<b>165,461</b>	<b>185,010</b>	<b>143,343</b>

\*Civil Filings represent all types of filings presented in the Civil Commencement Unit.

\*\* Judgment filings include individually filed actions and Judgments filed in Operation of Law, which includes Fines and Costs, Restitution, Support and Traffic Court Judgments filed in an automated process by the Agencies.

\*\*\*U.C.C. filings include UCC1 and UCC3 matters.

\*\*\*\*Appeals, Transfers and Removals are transactions that require us to physically move a file to another court or jurisdiction.

### OFFICE OF THE PROTHONOTARY NEW FILINGS

