



John W. Herron
Administrative Judge

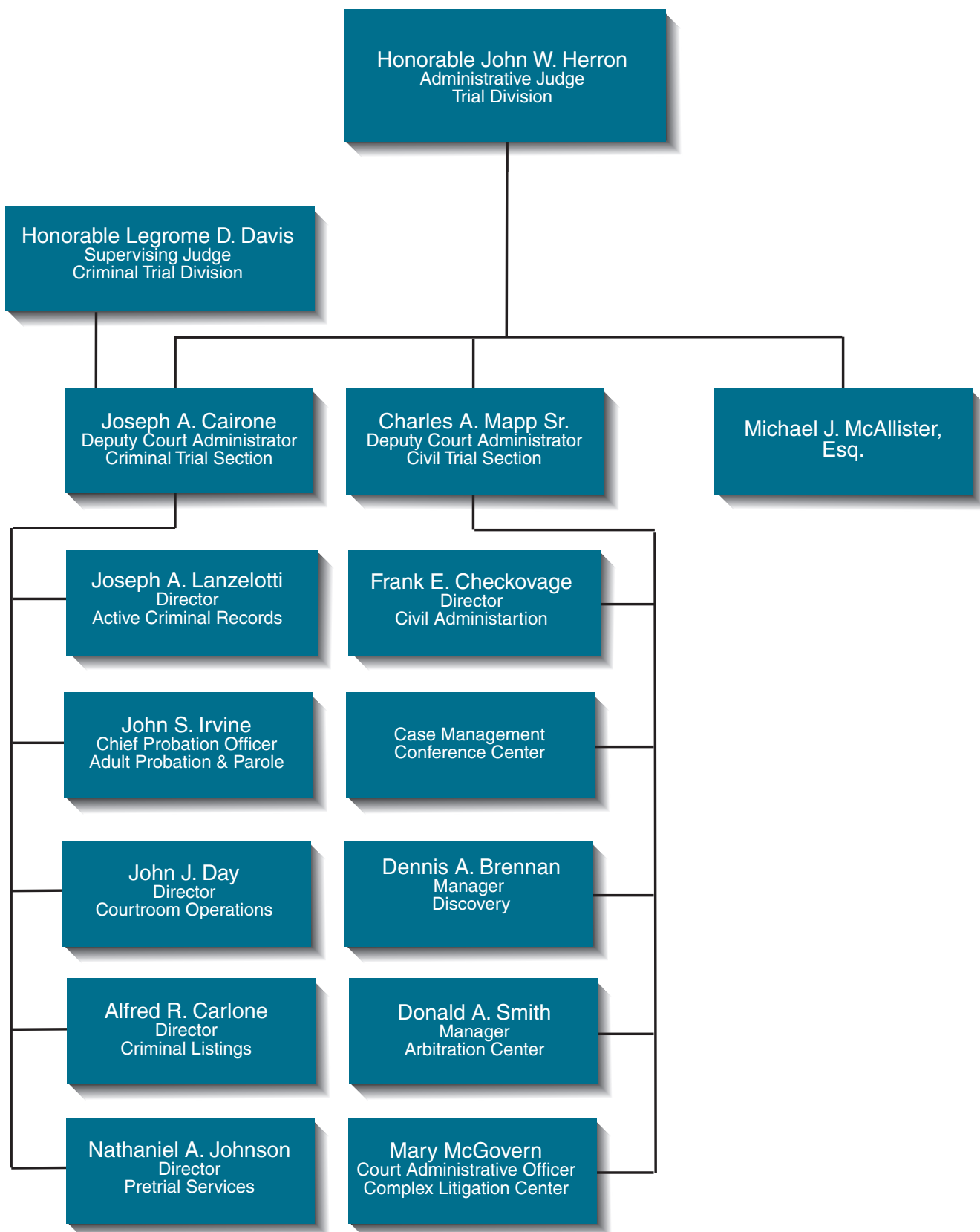
Letter from the Administrative Judge

These years have offered myriad opportunities for improving the delivery of justice in both the Civil and Criminal Divisions of the Court of Common Pleas. In both areas of the Trial Division, we have sought to reconfigure the Court, moving from the calendar judge system of assigning matters to the creation of judicial teams, each with a team leader and a small number of judges specifically assigned to a certain portion of the inventory of active cases. Many judges have accepted these leadership positions at a cost of considerable additional administrative responsibility, time and effort for themselves and staff. The Trial Division has been strengthened by the additional delegation of leadership responsibility. The second major focus has been on increasing case management, especially on the civil side. Case managers have been added to the complement of Court personnel and meet with lawyers in all cases 90 days after filing to impose a structured Case Management Order governing the critical events.

Complementing the program changes in judicial leadership and case management, the Trial Division has made major changes in certain physical facilities in City Hall to complement the civil delay reduction strategy. These changes have resulted in abolishing a separate filing area for motions and consolidating that function within the Prothonotary's office on the second floor. Civil Administration now occupies completely restored facilities immediately contiguous to the Prothonotary's Office and both the Motion Court and Discovery courtrooms have been located nearby, thus establishing all civil filing, processing and disposition of discovery and non-discovery motions within one adjacent area in City Hall. In addition, a new Case Manager conference area and Dispute Resolution Center have been established on the sixth floor to aid counsel in the case management and settlement processes. Finally, a lawyer/client meeting area has been established in refurbished Courtroom 225. These exciting developments and additions have paved the way for a completely revamped Civil Program.

IN THIS SECTION

Trial Division Organization	53
Civil Section	55
Civil Section Statistics	61
Criminal Section	63
Criminal Section Statistics	70
Jury Commission	71



OVERVIEW

In terms of the number of Judges and employees, the Trial Division is the largest subdivision of the Court of Common Pleas. Indeed, the Division employs more workers in support of more judges than any other court or division across the First Judicial District. Sixty-seven judges, or 54% of the total FJD judiciary, preside in the Trial Division. For the 1996-1997 biennium, more than 84,000 combined civil and criminal cases were recorded in the Trial Division.

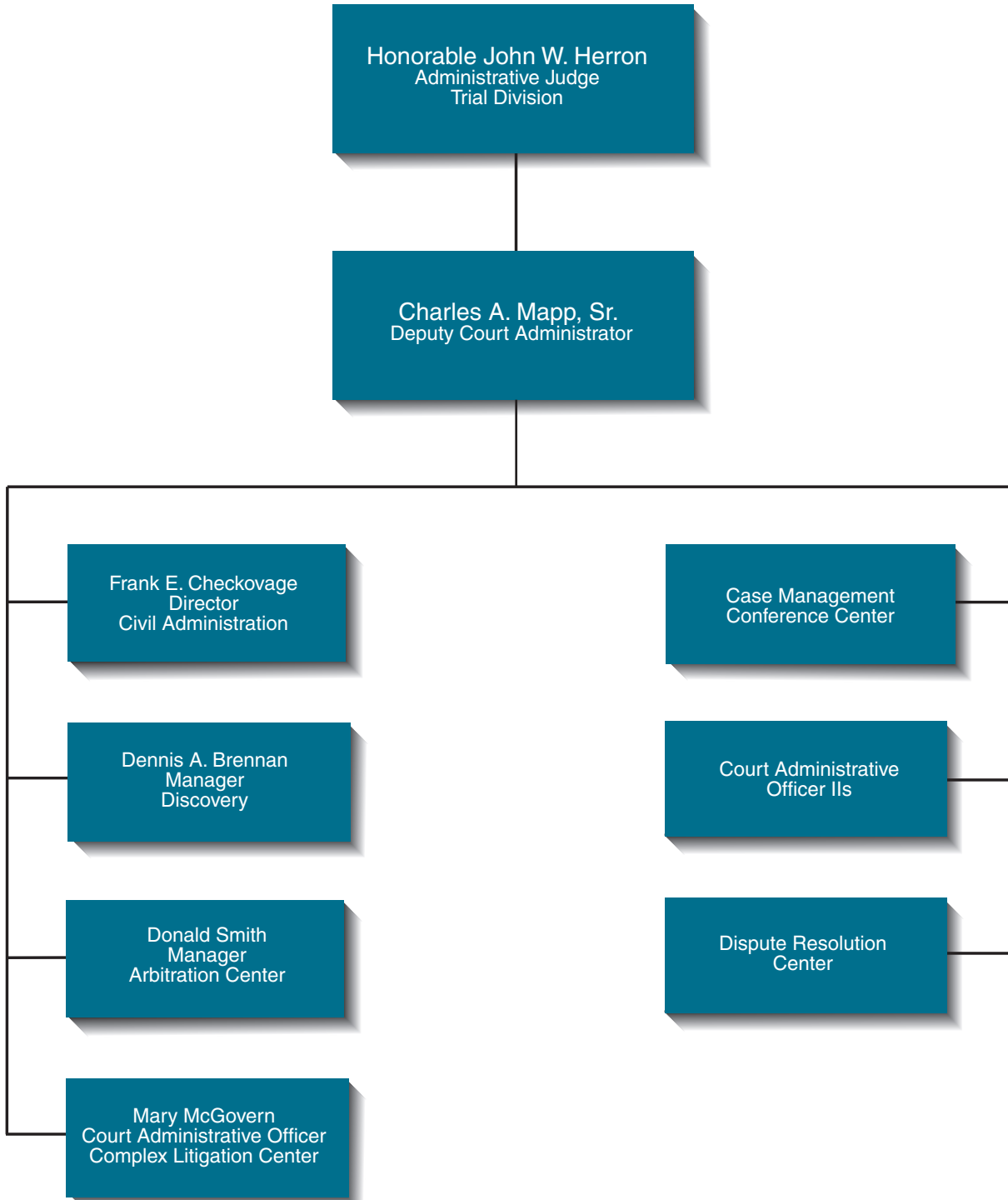
Two Major Sections comprise the Trial Division of the First Judicial District: 1) the Civil Section; and 2) the Criminal Section. The Trial Division management structure is headed by Administrative Judge John J. Herron, who was appointed by the Supreme Court of Pennsylvania in 1996. The Criminal Section also benefits from direction supplied by Supervising Judge Legrome D. Davis. Each of the two sections of the Trial Division is managed by a Deputy Court Administrator. In the Civil Section, that role is filled by Charles A. Mapp, Sr., while Joseph A. Cairone heads the non-judicial contingent of managers for the Criminal Section. A third component, the Jury Selection Commission, is headed by Commissioner Michael J. McAllister, Esquire. Managers respond to directives of the Administrative Judge and receive guidance from Joseph J. DiPrimio, Esquire, FJD Court Administrator.

Of the 67 Judges sitting in the Trial Division, 35 preside over Civil cases and 32 are assigned to hear Criminal matters.

The 35 Judges of the Civil Section hear cases categorized into tracks based on case types, complexity, and likely time to disposition. Civil case management programs include: 1) Day Forward; 2) Day Backward; 3) Mass Torts; 4) Major Non Jury cases and Appeals from Arbitration; and 5) Class Actions, Business Tax, and Compulsory Arbitration. The 47 Civil Division employees operate out of several locations — including the Complex Litigation Center at the Wanamaker Building — with the majority of the Civil Courtrooms situated in Philadelphia City Hall.

Trial Division Criminal Judges preside over cases that, through similar case management systems, are initially classified in one of three major categories: 1) Homicide; 2) Section Calendar (serious and complex felonies); and 3) List Program (non-jury felony trials). The Chief Criminal Calendar Judge reviews cases assigned to the Homicide and Section Calendar programs. Also, the Section Calendar and List Programs are further delineated into subsections where cases are evaluated and assigned “tracks” depending on the likelihood of disposition.

The Jury Selection Commission empanels jurors for civil and criminal cases working from a pool of about 400 candidates each working day. Annualized, this means that the Commission provides approximately 100,000 people with the opportunity to participate in the judicial process, bolstering access to justice. To designate these prospective jurors, well over half of a million pieces of mail are processed per year by the Jury Selection Commission.





Charles A. Mapp, Sr.
Deputy Court Administrator
Civil Trial Division

The goal of the Civil Section of the Trial Division is to ensure the efficient, economical and expedient administration of justice in Philadelphia, providing the highest standard of equality, fairness and integrity to the public.

ORGANIZATION

Under the Pennsylvania Constitution, the Philadelphia Court of Common Pleas is a court of unlimited original jurisdiction “except as may otherwise be provided by law”. Within that broad context, the Civil Division provides a foundation for decisions affecting social, economic, and legal issues emerging in today’s world — with an eye toward providing greater access in the future. The Civil Section is managed under the direction of Administrative Judge John W. Herron.

Including per diem senior judges, 35 Common Pleas Court Judges preside over five major branches of the Civil Section: 1) Major Jury Day Forward; 2) Major Jury Day Backward; 3) Complex Litigation; 4) Statutory Appeals; and 5) Compulsory Arbitration. These programmatic case type categories function within the structure of the principal departmental service centers of Civil Administration: the Complex Litigation Center; the Arbitration Center; the Civil Case Management Center; the Dispute Resolution Center; and the Motion and Discovery Courts. The Deputy Court Administrator in charge of the Civil Trial Division is Charles A. Mapp, Sr. Reporting to him are the managers of each of the service centers identified above. There are a total of 47 employees assigned

to Civil Administration. Employees execute their duties in support positions within their individual units and provide assistance to the public and the Bar in an informed, professional, and courteous manner. To enable employees to fulfill their responsibilities and achieve their individual and common goals a series of Legal Administration Workshops began in 1997.

As a court of unlimited jurisdiction the Civil Section of the Court of Common Pleas received 68,259 cases filed in 1996 and 1997 disposing approximately 87,605 cases. The dedication of the Civil Section leadership and employees to providing Access to Justice is manifested in the implementation of innovative, progressive case flow management systems augmented by continuing education for support staff, the creation of appropriate Pre-Trial forums, and advancements in technology.

PURPOSE

The goal of the Civil Section of the Trial Division is to ensure the efficient, economical and expedient administration of justice in Philadelphia, providing the highest standard of equality, fairness and integrity to the public.



Judge Howland W. Abramson



Judge Norman Ackerman



Judge Jacqueline Allen



Judge Mark I. Bernstein



Judge Matthew D. Carrafiello

RESPONSIBILITIES

Creative and resourceful managerial design fostered by Civil Section leadership during the 1996-1997 biennial period led to the integration of several innovative civil case management systems. These new strategies have proven so successful that they have been incorporated as standard procedures. In effect, recent achievements have also redefined responsibilities for the Civil Section. Tasks have evolved with the adoption of new ideas in Court administration.

To ensure effective, efficient management, the First Judicial District **Case Management Center**, located in Room 613, City Hall, was created and opened in 1996 to provide a centralized location for Case Management Conferences. The center is staffed by five Case Managers. The purpose of the conferences, scheduled 90 days from date of commencement, is to provide the court and parties with early disclosure of basic information enabling managers to assign each case to an appropriate track: Expedited, Standard or Complex. Case Management Orders, setting forth deadlines for discovery, expert reports and the filing of motions, as well as conference and trial schedules, drive the process toward the collaborative goal of expedited, prudent resolution.

The commitment to innovation is further illustrated in the work conducted at the **Dispute Resolution Center**, opened in 1997. Located in Room 691 City Hall, the Center is under the supervision of manager Frank E. Checkovage. All settlement conferences in the Major Jury Programs are conducted by special Judges Pro Tempore, working under the direct supervision of Judicial Team Leaders. Employing the principle that early intervention and preparation lead to more timely and better dispositions, conferences scheduled at the completion of discovery in this forum enable the parties to resolve disputes without unnecessary extensive trial preparation. Non-resolution of cases at this point triggers the scheduling of Pre-Trial Conferences before the Judicial Team Leader, who may then issue orders scheduling cases for trial. This system holds down additional costs to the parties and the Court, and, through improved efficiency, provides greater access to quality justice.

Another fresh approach represents a landmark in judicial administration. **The Complex Litigation Center** was the first courthouse in the United States designed exclusively for complex, multi-filed Mass Tort cases when it opened on February 10, 1992. Commentators analyzing the explosion of mass tort litigation in the 1980's observed that "reflecting the special treatment courts accord mass



Judge Mary D. Colins



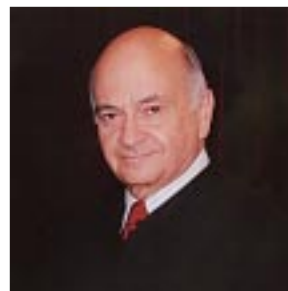
Judge Pamela Pryor Dembe



Judge Victor J. DiNubile, Jr.



Judge Myrna P. Field



Judge Bernard J. Goodheart



Senior Judge Marvin R. Halbert

claims, at least one trial court (the Philadelphia Court of Common Pleas) has formally established a “mass torts” calendar, administered by a special cadre of judges operating out of a specially equipped facility”. The Honorable Victor J. DiNubile, Jr., assisted by Court Administrative Officer Mary McGovern, supervises the administration of several programs conducted at the Complex Litigation Center located on the 12th floor of The Wanamaker Building (off the southeast corner of City Hall).

... at least one trial court (the Philadelphia Court of Common Pleas) has formally established a “mass torts” calendar, administered by a special cadre of judges operating out of a specially equipped facility.

on new cases filed per year. Currently, there are three Day Forward Teams: Day Forward 1995 under the supervision of Judge Mark I. Bernstein; Day Forward 1996 under the supervision of Judge Albert W. Sheppard; and, Day Forward 1997 under the supervision of Judge Joseph D. O’Keefe. The success of the Case Flow Management principles employed in the Day

Forward Program is evidenced in the filing of approximately 16,391 cases since 1995 and the resolution of approximately 11,337 cases by the end of 1997.

Day Backward Program: The Day Backward Program was inaugurated by President Judge Alex BonavitaCola with an initial inventory of almost 29,000 cases. This program was designed to effectuate the resolution of aged cases, from oldest forward, in an efficient and judiciously expedient manner. Toward that end, the Court embraced case flow management mechanisms combining consistent communication, cooperation and commitment. In Day Backward, Case Management and Settlement Conferences



Judge Gene D. Cohen



Judge Amanda Cooperman



Judge Alfred J. DiBona, Jr.

CASE MANAGEMENT PROGRAMS

Day Forward Program: The Major Jury Day Forward Program was developed in 1995 under the aegis of the then Administrative, and now President Judge, Alex BonavitaCola. The Day Forward Program encompasses Major Civil Jury cases, with the exception of Mass Tort cases, filed after January 1, 1995. Under the direction of individual Judicial Team Leaders, the program is structured to focus



Judge Arthur S. Kafrissen



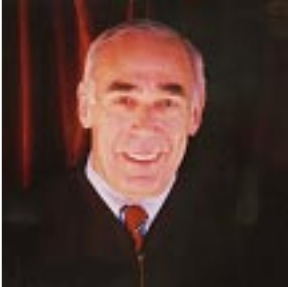
Judge Marlene F. Lachman



Senior Judge William J. Lederer



Judge Samuel M. Lehrer



Judge Stephen E. Levin

are held in the Case Management and Dispute Resolution Service Centers. At the conclusion of calendar year 1995, approximately 30,249 cases had been resolved.

- By 1996, under the direction of Coordinating Judge G. Craig Lord, along with three Judicial Team Leaders, the inventory of 28,496 at the program's inception was reduced to 5,296 cases pending by year's end.

As a result of the Judicial dedication and efficient management of this program, projections indicate that resolution of all Day Backward cases will be accomplished during 1998.

- In 1997, under the direction of Coordinating Judge William J. Manfredi, assisted by two Judicial Team Leaders, the inventory was further reduced to approximately 1,500 cases. As a result of the Judicial dedication and efficient management of this program, projections indicate that resolution of all Day Backward cases will be accomplished during 1998.

Mass Tort Program: The Mass Tort Program calendar includes litigation involving Asbestos, DES, L-tryptophan, Lead Paint, Breast Implant, Orthopedic Bone Screw, Thorotrast, Carpal Tunnel Syndrome, Norplant, Latex Gloves,

Benzine, Tylenol, Stomach Staples, Hearing Loss, Factor Concentrate and Tobacco. Mass Tort Programs rely on regular monthly or bi-monthly meetings of counsel, the Supervising Judge, and the Court Administrative Officers. These mandatory meetings are designed to

encourage Bench/Bar cooperation in the creation of innovative, efficient and economical case management procedures, and standardized pleadings. As a result, tailored case management orders delineate the manner in which cases are filed; streamlined

motion and discovery procedures; designation of liaison counsel; and the scheduling of trial dates certain. All Mass Tort Programs, including Asbestos, are currently on an 18 to 24 month time-to-disposition track.

- As a result of streamlined Mass Tort case management procedures, approximately 900 cases were commenced in 1996 and more than 600 cases were disposed. In 1997 almost 1,200 cases were commenced and about 1,800 cases were disposed.



Judge Frederica A. Massiah-Jackson



Judge Arnold L. New



Judge Joseph I. Papalini



Judge Nitza I. Quinones Alejandro



Judge Paul Ribner



Senior Judge Edward B. Rosenberg

Major Non-Jury Cases and Appeals from Arbitration: In addition to the Mass Tort Programs, the Complex Litigation Center houses management and trial of all Major Non-Jury cases and Appeals from Arbitration. All Major Non-Jury cases undergo Status/Trial Scheduling Conferences approximately 90 days after commencement. These conferences generate Pre-Trial Orders that prompt mandatory settlement conferences and trial dates certain within one year of commencement. Approximately 400 trial Scheduling Conferences are conducted monthly.

- In 1996 and 1997 almost 10,000 of these cases were commenced and more than 11,000 cases were resolved.

The Arbitration Appeal Program is managed similarly with Trial Scheduling Conferences at the commencement of Appeals that generate mandatory settlement conferences and trial dates certain. Approximately 200 Appeal from Arbitration Trial Scheduling Conferences are conducted monthly.

- In 1996 and 1997 about 4,300 Appeals from Arbitration were filed and approximately 4,600 appeals were disposed.

A separate trial list for each program is published in Philadelphia’s daily legal journal, The Legal Intelligencer, for a four week period. Non-Jury and Jury cases are tried in a “piggy-back” fashion; while a jury is being selected, the Trial Judge presides over a Non-Jury case. Essentially, the resources of one courtroom serve two cases simultaneously — meaning improved judicial efficiency and economy, and access to justice.

Statutory Appeals: The Statutory Appeals Program, under the supervision of Judge Stephen Levin, includes Administrative Agency Appeals, Class Actions and City Business Tax cases. The Statutory Appeals Program consists of appeals from adjudications of state and local administrative agencies. Close to 2,500 appeals were filed in 1996 and 1997, and, with efficient case management procedures, approximately 2,200 cases were disposed.

Class Actions, Business Tax, and Compulsory Arbitration: Administration and management of Class Actions are governed by Pa. R.C.P. 1703(b). Pursuant thereto, the Supervising Judge is responsible for all aspects of the case from commencement until trial. In the event of settlement, the Supervising Judge is responsible for class notification and conducting settlement fairness hearings.



Judge William J. Manfredi



Judge Sandra Mazer Moss



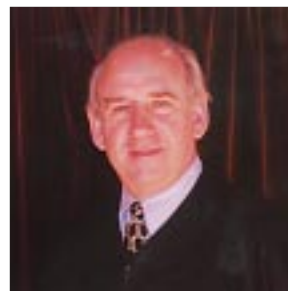
Judge Joseph D. O’Keefe



Judge Albert W. Sheppard, Jr.



Judge Esther R. Sylvester



Judge Allan L. Tereshko



Judge Flora Barth Wolf

In the event of trial, cases are assigned judges in the Day Forward Program. During 1996 and 1997, 86 Class Action suits were filed and 57 were resolved.

Judge Levin also supervises the conduct of City Business Tax cases instituted for the collection of outstanding business, wage, or other taxes having an amount in controversy in excess of \$50,000. In 1996 and 1997 about 200 such cases were filed and more than 200 cases were resolved.

Civil cases having amounts of \$50,000 or less in controversy — exclusive of interest and costs — are assigned to the Compulsory Arbitration Program. All

Compulsory Arbitration Hearings are held in the *Court of Common Pleas Arbitration Center* located on the 2nd Floor of 1601 Market Street. To ensure the efficiency of this program, Arbitration Hearings are scheduled for dates eight months from the date of commencement. The Prothonotary schedules hearings before the Arbitration Panels consisting of three attorneys engaged in the active practice of law, with principal offices in Philadelphia. Eight to twelve panels of Arbitrators hear approximately 30 cases per day.

- During 1996 and 1997 in excess of 35,300 cases were filed in Arbitration and over 42,800 cases were resolved.

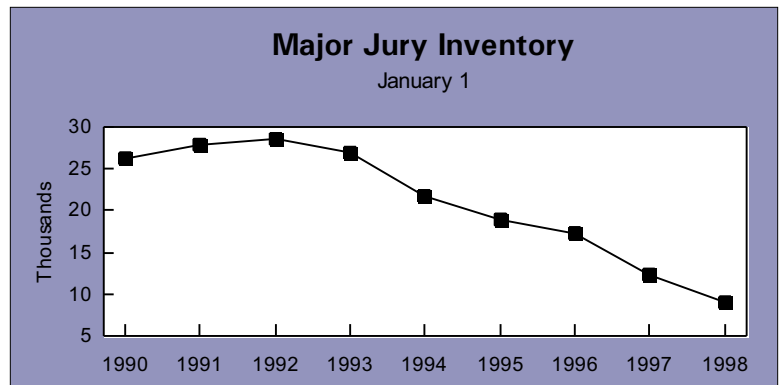


Sculpture at John F. Kennedy Plaza.

COURT OF COMMON PLEAS/CIVIL TRIAL SECTION STATISTICAL SUMMARY

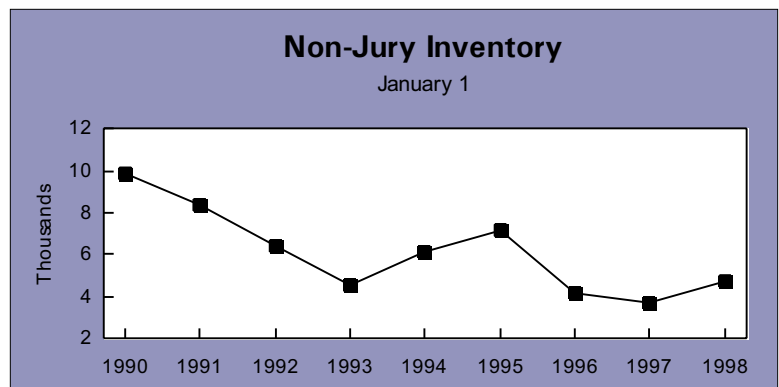
Major Jury Inventory as of January 1

Year	Inventory 1/1	Filings	Dispositions
1990	26,155	10,755	9,131
1991	27,779	10,758	10,041
1992	28,496	9,973	11,568
1993	26,901	7,425	12,537
1994	21,789	6,661	9,536
1995	18,886	7,763	9,389
1996	17,260	5,169	8,479
1997	12,349	5,307	12,921
1998	9,074		



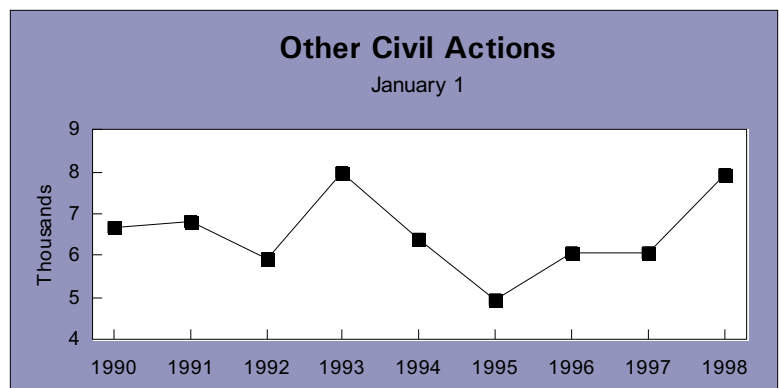
Non-Jury Inventory as of January 1

Year	Inventory 1/1	Filings	Dispositions
1990	9,857	6,553	8,087
1991	8,323	6,729	8,690
1992	6,362	9,475	9,498
1993	4,499	5,002	3,305
1994	6,132	4,521	3,532
1995	7,121	4,026	7,987
1996	4,112	6,581	7,030
1997	3,731	3,473	4,057
1998	4,713		



Other Civil Actions* (Excluding Arbitration)

Year	Inventory 1/1	Filings	Dispositions
1990	6,678	6,790	5,928
1991	6,790	532	1,385
1992	5,928	718	1,691
1993	7,980	5,803	7,490
1994	6,385	5,855	7,305
1995	4,935	6,435	6,684
1996	6,045	3,803	4,713
1997	6,047	7,050	7,690
1998	7,922		



*Includes Mass Tort, Appeals from Arbitration, Appeals from Municipal Court, Tax Cases & Statutory Appeals.

**Balances as of 1/1 indicate actual case counts. Filings and dispositions do not include cases which were disposed and subsequently reopened nor transferred between one or more programs.