

THE TRIAL DIVISION IN 2013

I serve as the Supreme Court's appointee as Administrative Judge of the Trial Division and I will complete my current three year term at year's end. This represents my third three year term having also served as the Trial Division Administrative Judge from 1996 to 2002. The Trial Division is the largest division of the FJD with a total of 72 judges and 815 employees. 26 judges are assigned to the Civil Program and 36 to the Criminal Program.

We have experienced spectacular success in all our programs with deserved credit going to all judges and the administrative leadership of the FJD. The following Report summarizes the many accomplishments achieved.

Civil Program. In 2013, the Civil Program made substantial strides in inventory reduction, productivity, cost savings and accountability. We continued the initiative that we began in 2012 to control runaway growth in the inventory of mass tort cases; we restructured the civil division to improve efficiency and eliminate duplication of functions; and we refined our data analysis capabilities for measuring performance. Through these measures we achieved:

- A 60% decrease in mass tort filings over the prior year, which is directly attributable to the protocols I wrote and issued in February 2012 and to Supervising Judge New's sound administration of the program to assure the timely and efficient disposition of cases.
- A 10% increase in the number of jury trials completed by our civil judges, to a total of 347.
- A 2% decrease in the inventory of major jury cases, despite an 11% increase in major jury filings.
- A compliance rate of 91% with the ABA 24-month standard for major jury cases.
- \$1.5 million savings in salaries from the consolidation of functions that enabled us to reduce staff through attrition. The Administrative Governing Board will allocate these funds to district-wide projects in the near future.

The Legal Intelligencer recognized these vast improvements in the Civil Program as the "FJD's Top Accomplishment" in a December 30, 2013 article.

Criminal Program. In criminal, we continued the reform effort that was begun several years ago and implemented measures in the following areas:

- **Homicide Backlog.** We established two programs to reduce the time-to-trial in homicide cases. In the first, we reviewed the trial calendars of homicide program judges to identify earlier dates to which Judge Lerner could assign new cases at pretrial conferences. This enabled us to assign trial dates as many as three months earlier than was previously possible. In the second, the Majors Bring Back Program, Judge Minehart conducted

status conferences of homicide cases with trial dates later than two years and succeeded in resolving or scheduling earlier trial dates for 57% of the cases reviewed. This resulted in a reduction of the inventory of homicide cases from 486 at the end of 2012 to 442 at the end of 2013.

- **Witness Intimidation.** We implemented indicting grand juries to address the problem of rampant witness intimidation. Indicting grand juries were used as an alternative to preliminary hearings in 721 cases where there was a significant risk of victim and/or witness intimidation. We also adopted and are enforcing a new cell phone policy prohibiting the use of cameras on cell phones.
- **Pretrial Reform.** The Pretrial Program continues to be a key focus of our reform efforts. The Pretrial Unit interviews arrestees and recommends conditions of release to bail magistrates using a risk assessment tool. It also supervises a small percentage of the pretrial population and fields a squad of 50 warrant officers who execute bench warrants on defendants who have violated the conditions of pretrial release. Our reform efforts included:
 - Developing a new risk assessment tool that will enable us to identify with greater accuracy defendants whose release poses a threat to public safety. An analysis of a recent 4-year period revealed that 13% of pretrial defendants were charged with committing a violent felony while in pretrial status. The new risk assessment tool is being developed by Professor Richard Berk of the University of Pennsylvania using sophisticated data mining techniques and is near completion. Preliminary tests show that the model is at least 30% more accurate in identifying dangerous defendants than methods currently being used.
 - Continuation of the Bench Warrant Court. In the second year of the operation of Bench Warrant Court, the failure-to-appear rate dropped 11% from the prior year to 5.24%. The failure-to-appear rate had peaked at 9.16% in 2007 prior to the adoption of the program.
 - Enhanced use of electronic monitoring.
 - Introduction of robo-calling and emailing to remind defendants of their scheduled court appearances.
 - Developing new supervisory options to replace current options that had fallen into disuse.
 - Recruitment of a new Director of Pretrial Services to replace the current director who has announced his retirement next year.
- **Reorganization.** As we did in Civil, we made major management changes and consolidated departments to improve efficiencies, achieve cost-savings and enhance our ability to manage the huge inventory of criminal cases. We merged the offices of

Criminal Motions, Appeals and File Security into the Office of Judicial Records (formerly the Clerk of Courts) and reorganized Active Criminal Records into CP Criminal Listings.

- **Key Metrics.** In 2013 the Criminal Program adjudicated 15,514 cases, including 318 in the homicide program, 4,842 in the major program and 10,514 in the felony waiver program. Clearance rates were 101% in homicide, 106% in majors and 96% in waivers.
- **Jury Scofflaw Program.** We continue to be challenged to secure sufficient jurors for our extremely active civil and criminal jury programs, particularly with the need to maintain three grand juries in the criminal program. Our present response rate to jury duty summons is an abysmal 13%. In other words, of the 596,000 summonses mailed, only 78,756 jurors reported. With the shortage of jurors, the average number of days that jurors serve has risen. Because jurors are reimbursed \$9/day for the first three days and \$25/day thereafter, the shortage of jurors has resulted in an annual increase of \$819,000 for fees, printing, postage and other costs. We will therefore shortly institute juror scofflaw court, which I did when last serving as AJ in the 1990's. In the interim, we will be reducing the size of panels for civil (40 to 30), for criminal (50 to 40) and for capital cases (60 to 50).

Please find enclosed the 2013 reports with detailed information on both the Civil and Criminal Programs together with a summary analysis.

John W. Herron
Chair, Administrative Governing Board
Administrative Judge, Trial Division

***First Judicial District of Pennsylvania
Court of Common Pleas of Philadelphia County***



***Trial Division - Civil
2013 Annual Report***

**Honorable John W. Herron
Chair, Administrative Governing Board
Administrative Judge, Trial Division**

**Honorable Arnold L. New
Supervising Judge, Trial Division – Civil**

**Joseph H. Evers
District Court Administrator**

**Charles A. Mapp, Sr.
Chief Deputy Court Administrator**

Revised March 18, 2014

TRIAL DIVISION - CIVIL 2013 ANNUAL REPORT

OVERVIEW

During calendar year 2013, the Trial Division – Civil continued to administer justice in Philadelphia in an efficient and productive manner. The Civil Section continues to provide access to justice by the implementation of innovative and progressive case flow management systems, continuous education for judges and support staff, and the creation of appropriate pre-trial forums and technologic advancements. We are pleased to report that during calendar year 2013, ninety percent (90%) of *all* civil cases were disposed or otherwise resolved within the case processing time standards established by the American Bar Association (ABA). This statistical analysis support and confirm the strong judicial leadership, the high level of judicial productivity and the commitment of the civil judges to the goals of the various case management programs.

CIVIL CASE MANAGEMENT PROGRAMS

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

OFFICE OF JUDICIAL RECORDS

Formerly known as the Offices of the Prothonotary and the Clerk of Quarter Sessions, or more recently the Clerk of Courts, the Office of Judicial Records of Philadelphia was implemented in October 2013 by Order of the Supreme Court of Pennsylvania. The Office of Judicial Records is responsible for the records, books, and dockets for the Court, including civil, criminal, and

juvenile cases. All duties and responsibilities inherent with the Prothonotary and Clerk of Courts were assigned to the Office of Judicial Records.

Since the establishment of the Office of Judicial Records, hereafter OJR, numerous changes have occurred, or are expected to be implemented, in the First Judicial District of Pennsylvania. The OJR operates under the jurisdiction of the Administrative Judge of the Trial Division. The office holder of the department is known as the Clerk of Judicial Records. The restructuring of the Trial Division - Civil into two major components - the OJR and Civil Operations - encompassed the expansion of the role of the Prothonotary. This expansion included the transfer of all functions and duties of the Civil Motions Program and the Discovery Program under the direction and leadership of the Office of Judicial Records. This transition occurred smoothly and created a fluid and more efficient system for the review and processing of all filings.

The restructuring of the Office of Judicial Records has enabled the consolidation and centralization of the following operations:

- E-Filing Review Department: This department is responsible for the review of all filings submitted through the Civil Electronic Filing System, including motions. The staff has been cross-trained creating an enhanced and highly skilled unit of employees who are capable of reviewing and screening all electronic filings consistent with the rules of civil procedure and court case management practices.
- Filing Department: This department is responsible for accepting all over-the-counter filings, managing the Electronic Filing Center, and providing support for all e-filing questions and problems via telephone and e-mail.
- Courtroom Operations: This department is responsible for the coverage of all courtrooms that operate as a result of motion filings and specialized programs, including the motions argument list, discovery hearing list, Statutory Appeals, Pennsylvania Department of Transportation Appeals, Municipal Court Appeals, Civil Forfeiture, Mortgage Foreclosure, and City of Philadelphia Equity and Tax cases.

It is the goal of this department to provide one designated area where all commerce with the Office of Judicial Records will be conducted, plans for which are presently underway. This department will allow the public to file documents over the counter, purchase subpoenas and certified and exemplified copies of records, decrees, notary signatures, and conduct all other forms of commerce.

CIVIL ELECTRONIC FILING SYSTEM

The First Judicial District's Civil Electronic Filing System (EFS), mandatory since January 5, 2009, has revolutionized the civil courts. Unique system features embody the kind of forward-thinking approach that has separated Philadelphia from its counterparts across the country. The *My Cases* link which allows a user access to their case inventory and all available electronic documents in the court's record has been a major highlight of the system since its inception. So, too, has the electronic notification of court filings, scheduling notices and judicial findings and orders to all members of the subject case who are EFS users.

The Civil Electronic Filing System, found at <http://www.courts.phila.gov/online>, is constantly evolving. Modifications to allow for new case types and filing options are added frequently. Recent updates include accommodating the complex filings that relate to actions with Eminent Domain implications. In the fall of 2013, the Trial Division – Civil coordinated efforts to carve out an area of the EFS process to be dedicated to Petitions to Appoint Sequestrators.

A major addition to the EFS environment has been the eCommerce component. Users have been given the ability to view and purchase public documents in civil cases through the web application. Subpoenas are also available for purchase electronically. All of these additions have been incorporated into the EFS portal which has been expanded to include applications utilized in the Criminal division. The success of the EFS has made it possible to incorporate applications across the First Judicial District under one umbrella.

The process of electronic notification of court filings, scheduling notices, judicial orders and other documents requiring notice pursuant to Pennsylvania Rule of Civil Procedure 236 continues to be extremely effective. Since implementation, nearly three million notices have been mailed electronically to all interested parties; with over 750,000 delivered in 2013 alone. Postage savings continue to be a huge benefit with more than one-million dollars saved from mailing electronically as opposed to the traditional means.

The Philadelphia Bar and litigants alike continue to benefit from the efficiencies and creativity that has been offered through the Civil EFS over the last five years.

Moving forward, expanding the functions of the system is always a goal. Incorporating documents such as Case Management, Settlement and Pre-Trial memoranda into the filing

process will be a focus in 2014, along with giving our judiciary the capability to electronically enter orders and findings to increase efficiencies.

COMMERCE COURT CASE MANAGEMENT PROGRAM

The Commerce Court Case Management Program is a specialized court focused on resolving commercial disputes brought by local, national and international companies that do business in Philadelphia. One of the goals of the Commerce Program is to make Philadelphia more business friendly.

As in previous years, the Commerce Court Program heard cases involving diverse parties and issues, including but not limited to: corporate shareholders, company members and partners; sales, mergers and dissolutions of businesses; commercial real estate transactions; construction and other business contracts; commercial insurance policies; legal, accounting and other professional (non-medical) malpractice; unfair competition, corporate fraud and theft of trade secrets; malicious prosecution; and negotiable instruments. This past year the program also began hearing Motions to Open or Strike confessed judgments in amounts greater than \$50,000.

In addition to resolving complex business disputes, in 2013, Administrative Judge Herron began hearing Petitions to Appoint Sequestrators for commercial properties against which tax liens have been filed. This Sequestration Project provides a means for the City to collect overdue taxes quickly. In the first four months of the Commerce Program's Sequestration Project, the City received over \$3 million dollars in back taxes from the persons and entities against whom it filed Petitions with the Court. This money goes to the Philadelphia School District to help alleviate its funding shortfall.

This past year, the Commerce Court Program continued to fulfill its mandate to provide guidance on issues of Pennsylvania commercial law. Since its inception, Commerce Program judges have published more than 1000 opinions on the Commerce Program's website, including more than 90 new ones in 2013. <http://www.courts.phila.gov/common-pleas/trial/civil/units/commerce-program.asp>.

During calendar year 2013, Commerce Court Program judges disposed of 656 commercial cases. Eighty-Seven percent (87%) of these complex cases were disposed within 24 months of the date they were filed, which is the time standard established by the ABA. As of January 7, 2014, there were 567 pending cases assigned to the Commerce Program.

COMPLEX LITIGATION CENTER

The Complex Litigation Center was responsible for managing twenty-one percent (21%) of the civil inventory, which includes the Pharmaceuticals and Asbestos Mass Tort Programs. As projected, the court recognized a sixty-percent (60%) decrease in overall Mass Tort filings. The largest and oldest pharmaceutical programs remaining are Reglan and Yaz/Yasmin/Ocella, representing fifty-five percent (55%) and sixteen percent (16%) of the total mass tort inventory, respectively. Last year, over sixty percent (60%) of the Yaz/Yasmin/Ocella cases were “settled” and removed from the active case inventory. There were also significant decreases in the case inventory for the Hormone Replacement Therapy (73%) and Denture Adhesive Cream (91%) programs. The Avandia, Traslolol and Mylan Fentanyl Patch programs were concluded in 2013.

Major Non-Jury Program

With respect to the Major Non-Jury Program, which is managed through the Complex Litigation Center, there was a notable increase of 197 cases. This increase is attributed to the filing of a large number of student loan and credit card collection cases. As of January 6, 2014, there were 1,777 active cases pending within the Major Non-Jury program.

Complex Litigation Center’s Mass Tort Information Website

The Complex Litigation Center’s Mass Tort Information website, which appears online at <http://www.courts.phila.gov/common-pleas/trial/civil/clc.asp>, was enhanced last year. In addition to providing general information and important updates on upcoming court events, users are now able to view real-time active case and trial lists.

DAY FORWARD MAJOR JURY PROGRAM

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

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

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

Even though the Day Forward Major Jury Program recognized an eleven percent (11%) increase in filings during calendar year 2013, the civil judges managed to dispose of 7,280 major jury cases thereby ending the year with a two percent (2%) decrease in the overall inventory. Ninety-one percent (91%) of the major jury cases were disposed or otherwise resolved within the case processing time standards established by the American Bar Association (ABA). As of January 6, 2014, there were 7,221 active cases pending within the program.

COMPULSORY ARBITRATION PROGRAM

All civil actions filed in the Court of Common Pleas of Philadelphia County with an amount in controversy of \$50,000 or less must first proceed to a Compulsory Arbitration hearing before a panel of three attorneys who have been certified by the Court to serve as arbitrators. For several decades, the Civil Compulsory Arbitration Program has been widely recognized as one of the most successful court mandated alternative dispute resolution programs in the country. Delegations from other states and even several foreign countries such as Japan, Korea and Egypt have visited the Arbitration Center and emulated it in their own jurisdiction.

During calendar year 2013, the overall pending inventory of Arbitration level cases was reduced by ten percent (10%), to 9,337 cases, which is a ten year low for the program. With 15,426 cases concluded at the Arbitration level in 2013, as well as an Arbitration hearing appeal rate of thirty-three percent (33%), the Compulsory Arbitration Program continues to be an effective forum for resolving civil disputes with limited use of judicial resources.

RESIDENTIAL MORTGAGE FORECLOSURE DIVERSION PROGRAM

Since the beginning of the Trial Division – Civil’s Mortgage Foreclosure Program, over 25,000 mortgage foreclosure conciliation conferences have been conducted. Of that number approximately seventy percent (70%) of homeowners have come through the conference program with varied resolutions. According to an independent study conducted by The Reinvestment Fund, thirty-five percent (35%) of participating homeowners reach sustainable resolutions. Of the thirty percent 30% that do not appear, data suggests that the properties at issue are ineligible for the program because they are vacant or not owner-occupied. The court is in the process of developing the means to examine current data to most efficiently track results to date.

Overall, resolutions are reached in less than three conciliation conferences and of those that do reach a permanent agreement, allowing the homeowner to keep their home, eighty-five percent (85%) of those individuals remain in their homes one year later.

During calendar year 2013, the Mortgage Foreclosure Diversion Program received 6,145 new cases and disposed of 6,641 cases. Eighty percent (80%) of these cases were disposed or otherwise resolved within the case processing time standards established by the ABA. As of January 6, 2014, there were 5,211 active cases pending within the program.

DISCOVERY COURT PROGRAM

The Discovery Court Program operates in accordance with the alternative motion procedures set forth in Philadelphia Civil Rule *208.3. The Discovery Unit encompasses all Day Forward Programs, Commerce, Non-Commerce Class Actions, Arbitration, Arbitration Appeals and Major Non-Jury Programs.

During Calendar year 2013, the Discovery Unit was responsible for processing and assigning 25,811 motions, petitions and stipulations requiring court approval. The unit also processed 230 Name Change Petitions.

DISPUTE RESOLUTION CENTER

Mandatory settlement conferences are held in all major jury and non-jury cases in the Dispute Resolution Center (DRC) which is located on the sixth floor of City Hall, in Room 691. The

DRC provides a centralized location for the mandatory settlement conferences; encourages uniform procedures for these conferences; and offers the litigants comfortable modernized facilities for the disposition of civil cases within historic City Hall.

Mandatory settlement conferences occur after discovery, motion, and expert deadlines so that the parties have a thorough understanding of the strengths and weaknesses of their cases and can approach settlement negotiations in a fully informed and meaningful manner. Depending upon the case type and case management track (expedited, standard or complex), settlement conferences take place six to twelve months after the initial case management conference and two to three months before trial.

Judges Pro Tempore (JPTs) are recruited to preside over the mandatory settlement conferences. The JPTs, who graciously volunteer their time, are experienced members of the Philadelphia Bar. In preparation for the conference, the JPT reviews the case file in order to effectively discuss all issues with the parties. In the event a case does not settle at the conference, the JPT is available by telephone for follow-up conferences. However, these follow-up conferences and calls will not delay the court's schedule for the case. At the conclusion of each settlement conference, the JPT must complete a settlement conference report. This report is provided to the Judicial Team Leader, along with the case file, in preparation for the next scheduled event, which is the final pretrial conference.

In 2013, exactly 4,251 cases were scheduled for a settlement conference within the Dispute Resolution Center. Forty-one percent (41%), or 1,748, of the cases scheduled for a conference were resolved; six percent (6%), or 240 cases, were transferred to the Compulsory Arbitration Program; and two percent (2%), or 67 cases were transferred to binding arbitration programs. The remaining fifty-two percent (52%), or 2,196 cases, proceeded to the next significant court event, i.e., pre-trial conference or trial.

PUBLIC ACCESS TO CIVIL INFORMATION

The Trial Division-Civil's court dockets, opinions, attorney activity reports, hearing lists, rules and procedures, operation manuals, judicial assignments charts, fee schedules, court holidays, hours of operation and maps can all be accessed and downloaded through the Court's website at <http://courts.phila.gov>.

TRIAL DIVISION – CIVIL
2013 CIVIL INVENTORY

New Filings: Including arbitration matters, the Trial Division – Civil received a total of 35,147 new filings during calendar year 2013.

Dispositions: Total civil dispositions for 2013 equaled 41,150. Excluding arbitration matters, the Court disposed of 25,724 civil records.

Trials: There were 347 Jury Trials and 221 Non-Jury Trials conducted in the Civil Section of the Trial Division during calendar year 2013.

Records Pending: Civil records pending as of December 31, 2013 totaled 31,416; representing a seven percent (7%) decrease in records pending for the year.

Trial Division - Civil Program	Civil Records Pending	Percent of Inventory
<i>Arbitration</i>	9,337	30%
<i>Major Jury Program</i>	7,221	23%
<i>Mortgage Foreclosure Program</i>	5,211	17%
<i>Mass Tort (Asbestos & Pharmaceuticals)</i>	4,168	13%
<i>Major Non-Jury and Arbitration Appeals</i>	2,478	8%
<i>Programs Assigned to Motion Judges</i>	1,682	5%
<i>Governmental & Administrative Agencies</i>	752	2%
<i>Commerce Program</i>	567	2%
Total	31,416	100%

*First Judicial District of Pennsylvania
Court of Common Pleas of Philadelphia County*



Trial Division - Civil

*Organizational Charts
and
Statistical Reports*

First Judicial District of Pennsylvania
Court of Common Pleas of Philadelphia
Judicial Assignment Chart
Trial Division-Civil
Effective February 24, 2014

Hon. Sheila Woods-Skipper
President Judge

Joseph H. Evers
District Court Administrator

Charles A. Mapp, Sr.
Chief
Deputy Court Administrator

Hon. John W. Herron
Administrative Judge

Hon. Arnold L. New
Supervising Judge

DAY FORWARD 2014
NEW, J.
TEAM LEADER
602 CH

DAY FORWARD 2013
BERNSTEIN, J.
TEAM LEADER
246 CH
FOGLIETTA, J.
432 CH
SHREEVES-JOHNS, J.
254 CH
SYLVESTER, J. (S)
643 CH

DAY FORWARD 2012
ALLEN, J.
TEAM LEADER
480 CH
LACHMAN, J.
443 CH
PANEPINTO, J.
285 CH
ROBINS NEW, J.
625 CH
ROBINSON, J.
436 CH
SNITE, J.
696 CH
YOUNGE, J.
483 CH

DAY FORWARD 2011
and Back
RAU, J.
TEAM LEADER
646 CH
COLINS, J. (S)
682 CH
MASSIAH-JACKSON, J.
654 CH
RIZZO, J.
275 CH
SMITH, J.
475 CH
TUCKER, J.
675 CH

COMPLEX LITIGATION CENTER
NEW, J., TEAM LEADER
MASS TORT PROGRAM
602 CH
FOX, J., TEAM LEADER
ARB APPEALS & NON JURY PROGRAM
243 CH
DINUBILE, J. (S)
253 CH
DJERASSI, J.
425 CH
KEOGH, J. (S)
TBD
MAIER, J. (S)
636 CH
OVERTON, J.
653 CH
SARMINA, J.
633 CH
SHIRDAN-HARRIS, J.
616 CH
DUBOW, J.
TBD CH

COMMERCE PROGRAM
McINERNEY, J.
Coordinating Judge
630 CH
DEMBE, J.
612 CH
GLAZER, J.
650 CH
HERRON, A.J.

MOTIONS and
STATUTORY APPEALS
PROGRAM
CEISLER, J.
232 CH
WRIGHT-PADILLA, J.
426 CH

Courtroom 478 - Forfeiture Program
Courtroom 446 - Governmental & Admin. Agency Program
Courtroom 453 - Grand Jury Proceedings (Th, F)

Sheila Woods-Skipper
President Judge, Court of Common Pleas

John W. Herron
Administrative Judge, Trial Division
Chair, Administrative Governing Board



First Judicial District of Pennsylvania
Court of Common Pleas
Trial Division – Civil

Joseph H. Evers
District Court Administrator

Charles A. Mapp, Sr.
Chief Deputy Court Administrator

John W. Herron
Administrative Judge

Arnold New
Supervising Judge

Joseph H. Evers
District Court Administrator

Civil Operations
Charles A. Mapp, Sr.
Chief Deputy Court Administrator

Office of Judicial Records – Civil
Deputy Court Administrator

Arbitration Center
1880 JFK Blvd.
Maureen Eagan, Esq.
Director

Complex Litigation Center
622 City Hall
Stanley Thompson, Esq.
Director

Dispute Resolution Center
691 City Hall
Peter Divon
Manager

Case Management
Conference Center
613 City Hall
Stanley Thompson, Esq.
Director

Commerce Program
521 City Hall
Susan Packer, Esq.
Manager

Quality Assurance
695 City Hall
Norma Monte
Director

Administrative Office
284 City Hall
Deborah E. Dailey
Chief Deputy

E-Filing Review &
Acceptance Office
278 City Hall
Kara Kalogrias
Manager

Certifications &
Appeals Office
278 City Hall
Teresa Taylor
Manager

Discovery Court Program
691 City Hall
Peter Divon
Manager

Quality Assurance Office
284 City Hall
Kevin Daly
Manager

Records Management
264 City Hall
Albert Hall
Manager

Administrative Office
284 City Hall
Steven J. Wulko
Deputy

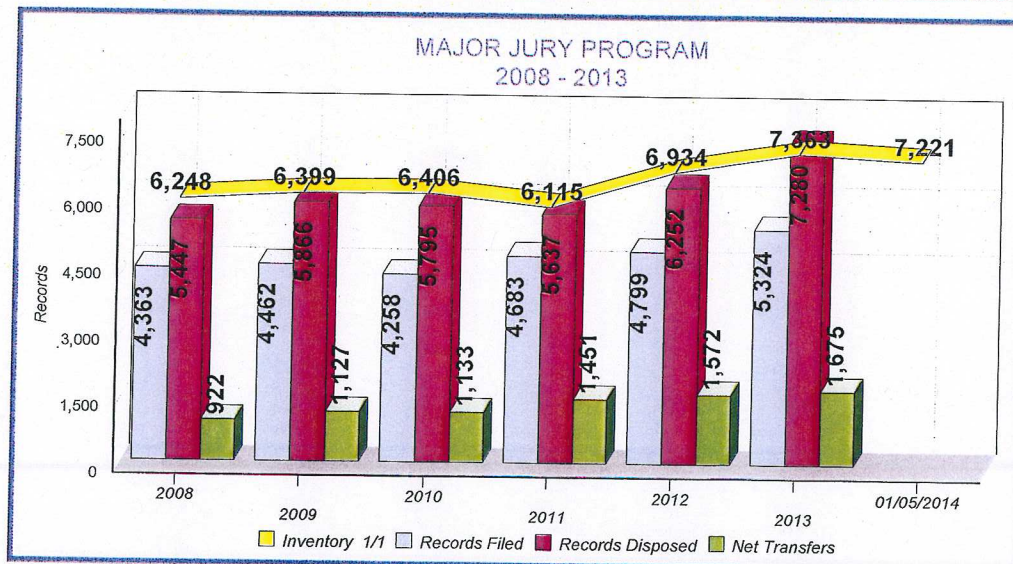
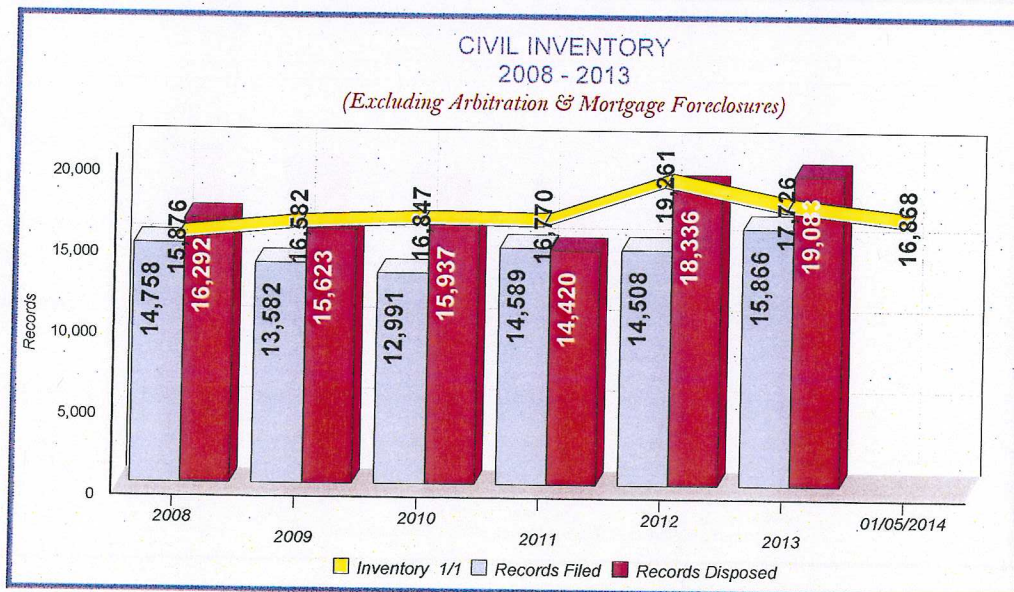
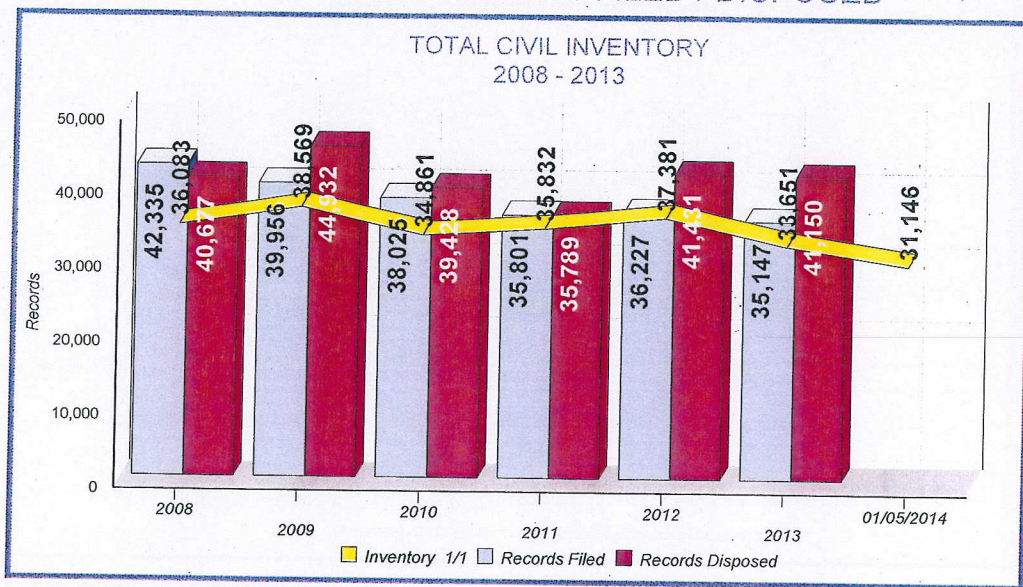
Finance Office
282 City Hall
Joan Jackson
Manager

Administrative Office
395 City Hall
Anjeza Keirstead
Deputy

Public Filing Office &
E-Filing Support
280 City Hall
David Vogler
Manager

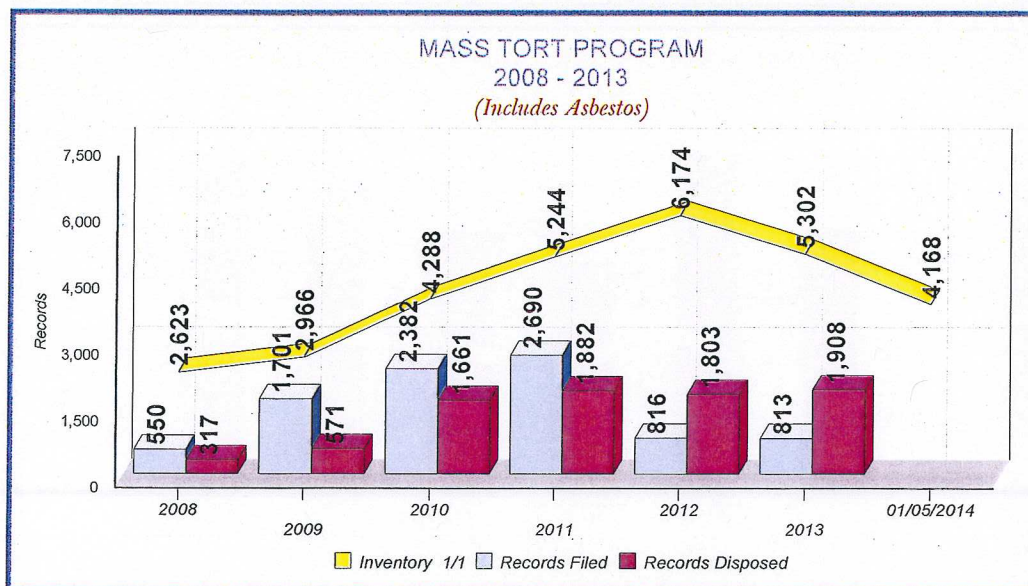
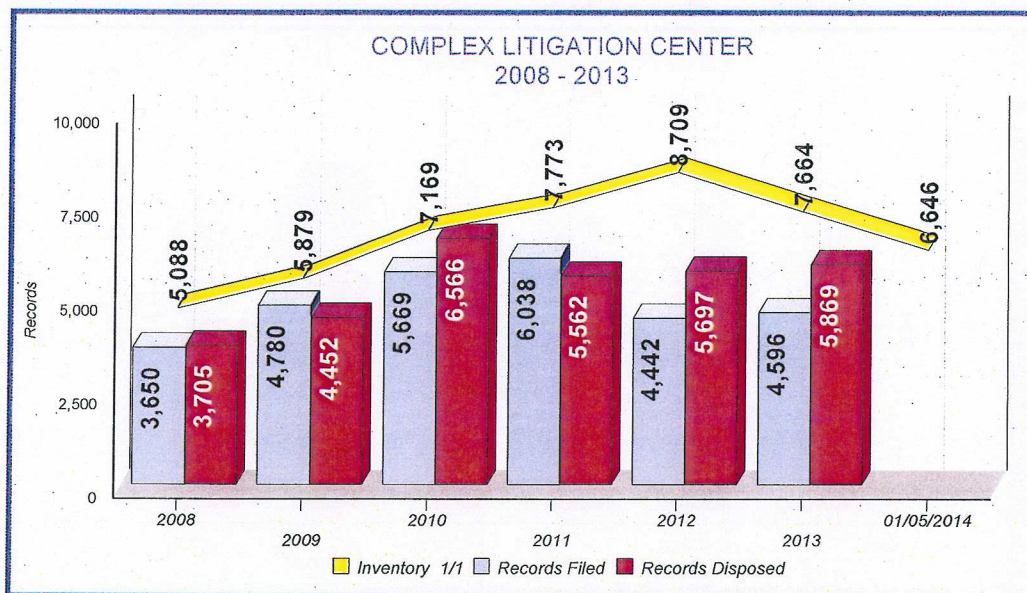
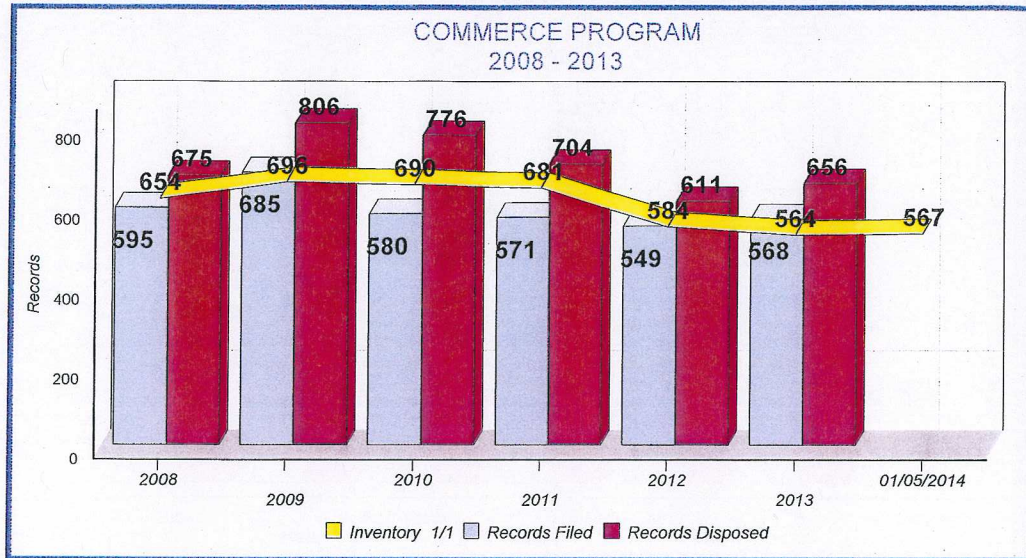
Motions Program &
Courtroom Operations
296 City Hall
Rachel Gallegos, Esq.
Manager

First Judicial District of PA: Trial Division - Civil
RECORDS PENDING / FILED / DISPOSED



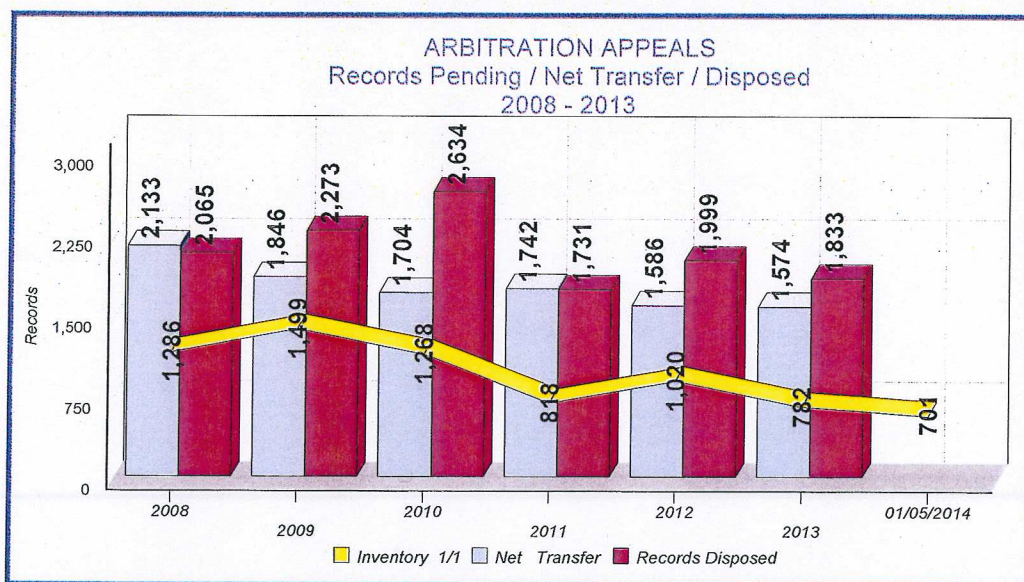
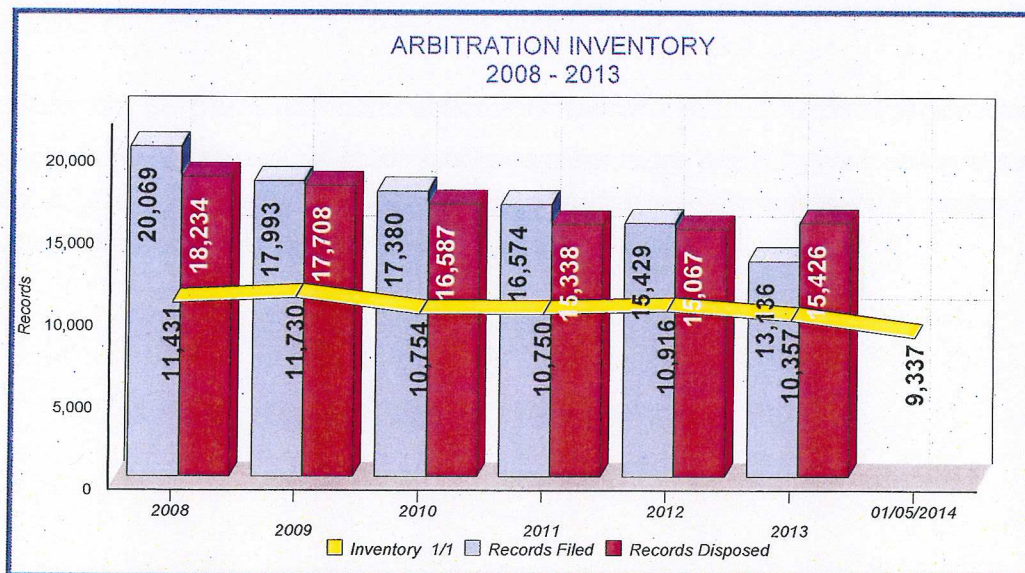
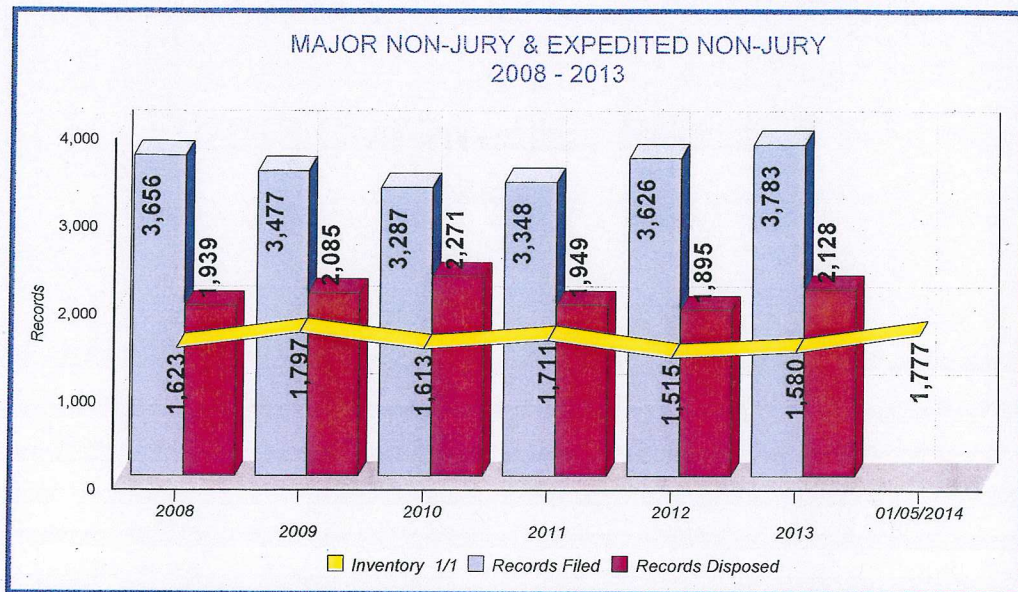
Re-Open, Net Deferred and Net Transfer records are not shown on this report. Please see the 2013 Civil Statistical Summary.

RECORDS PENDING / FILED / DISPOSED



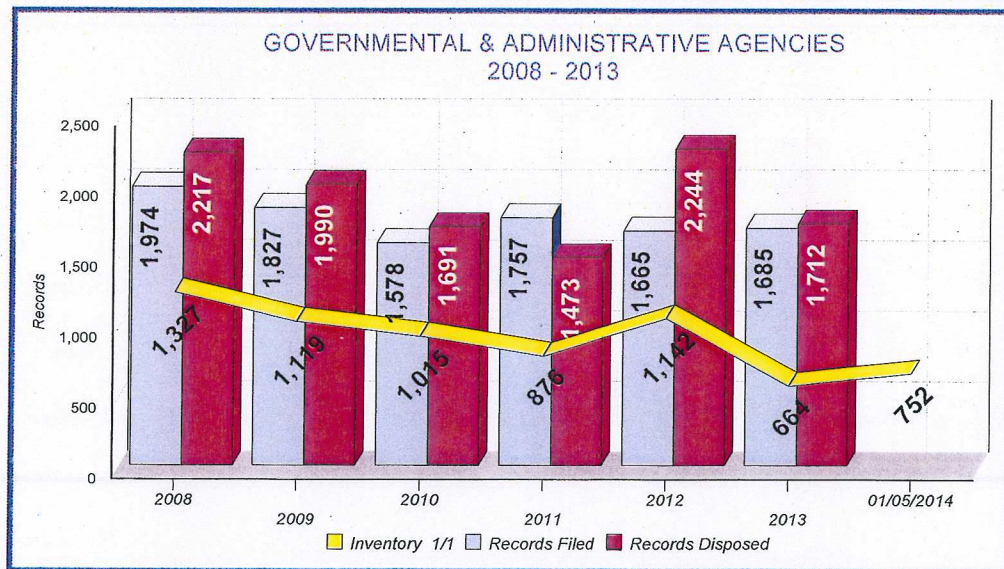
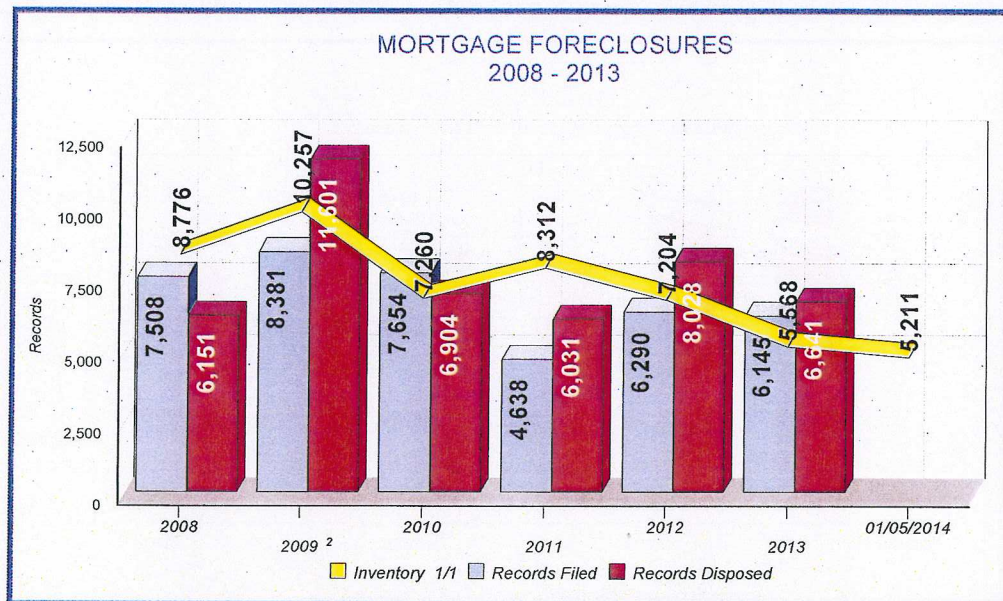
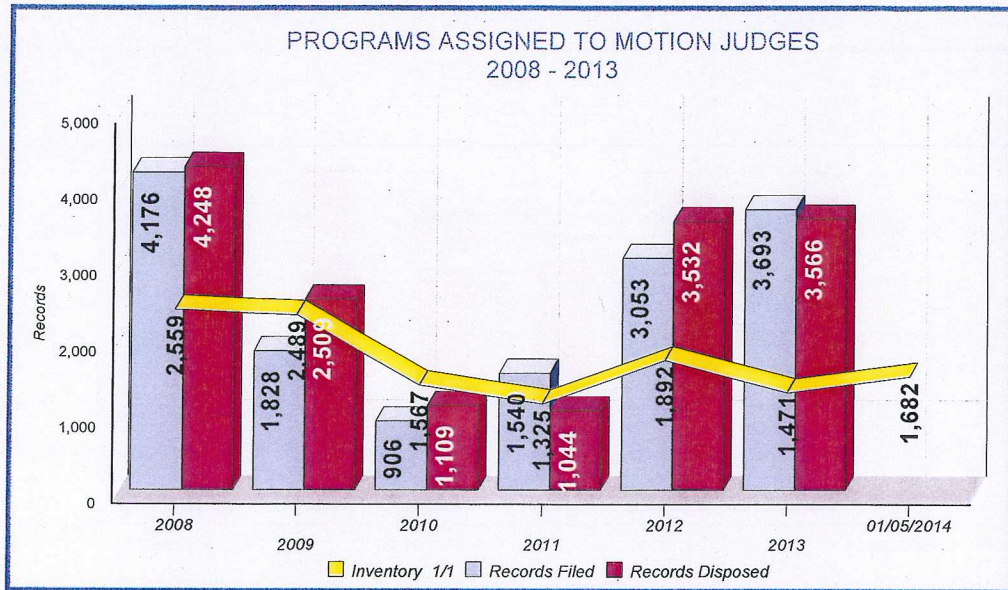
Re-Open, Net Deferred and Net Transfer records are not shown on this report. Please see the 2013 Civil Statistical Summary.

RECORDS PENDING / FILED / DISPOSED



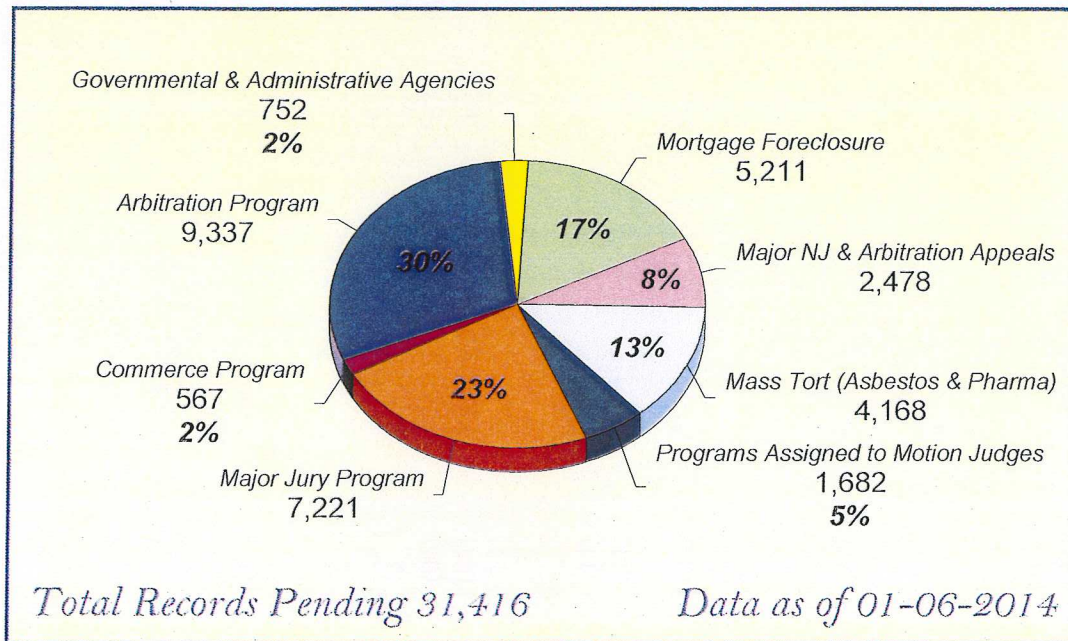
Re-Open, Net Deferred and Net Transfer records are not shown on this report. Please see the 2013 Civil Statistical Summary.

RECORDS PENDING / FILED / DISPOSED ¹



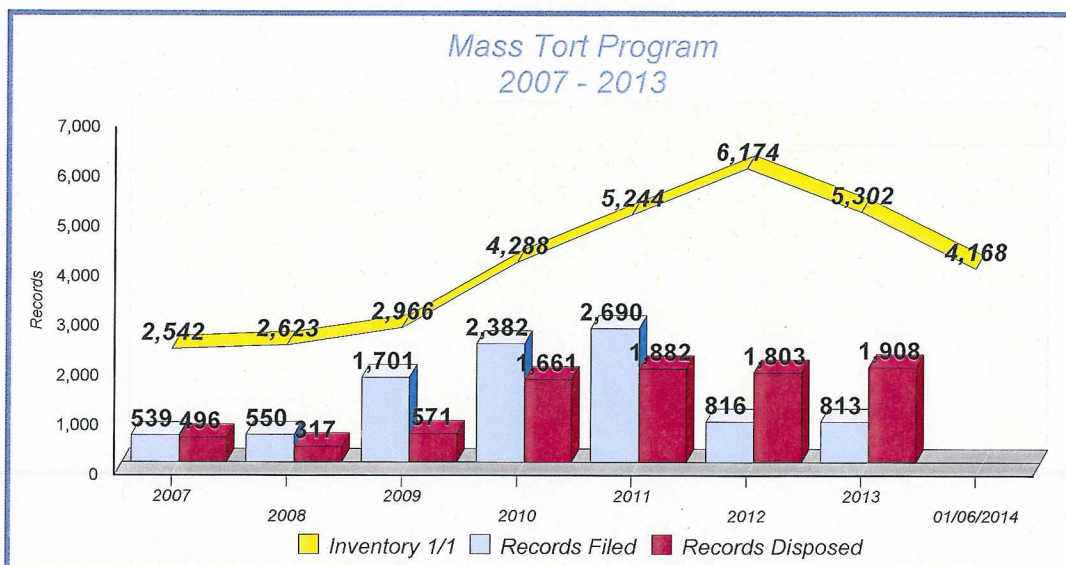
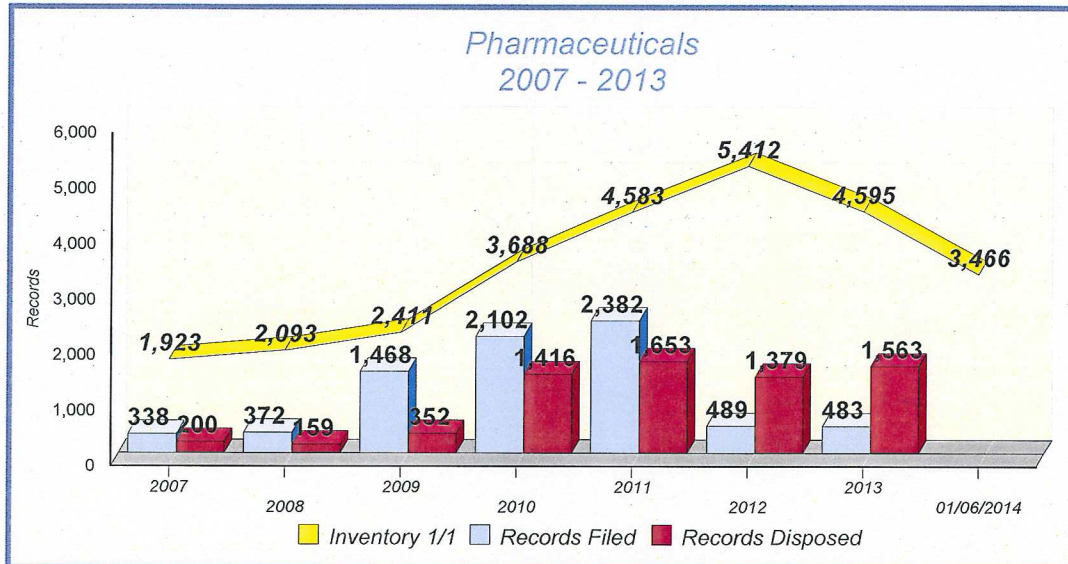
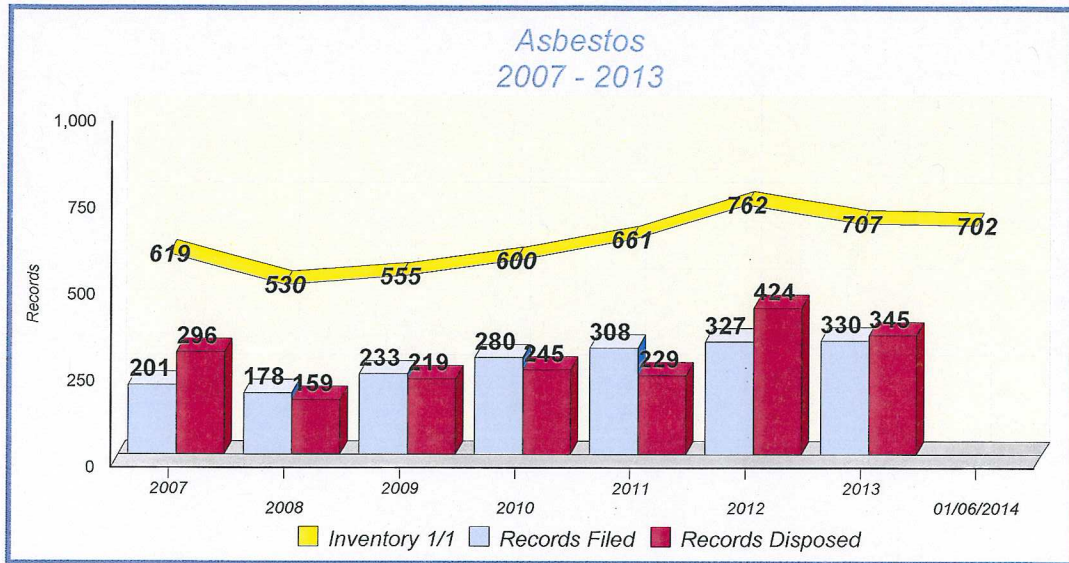
Re-Open, Net Deferred and Net Transfer records are not shown on this report. Please see the 2013 Civil Statistical Summary.

First Judicial District of PA: Trial Division - Civil
TOTAL CIVIL INVENTORY
RECORDS PENDING BREAKDOWN 2013



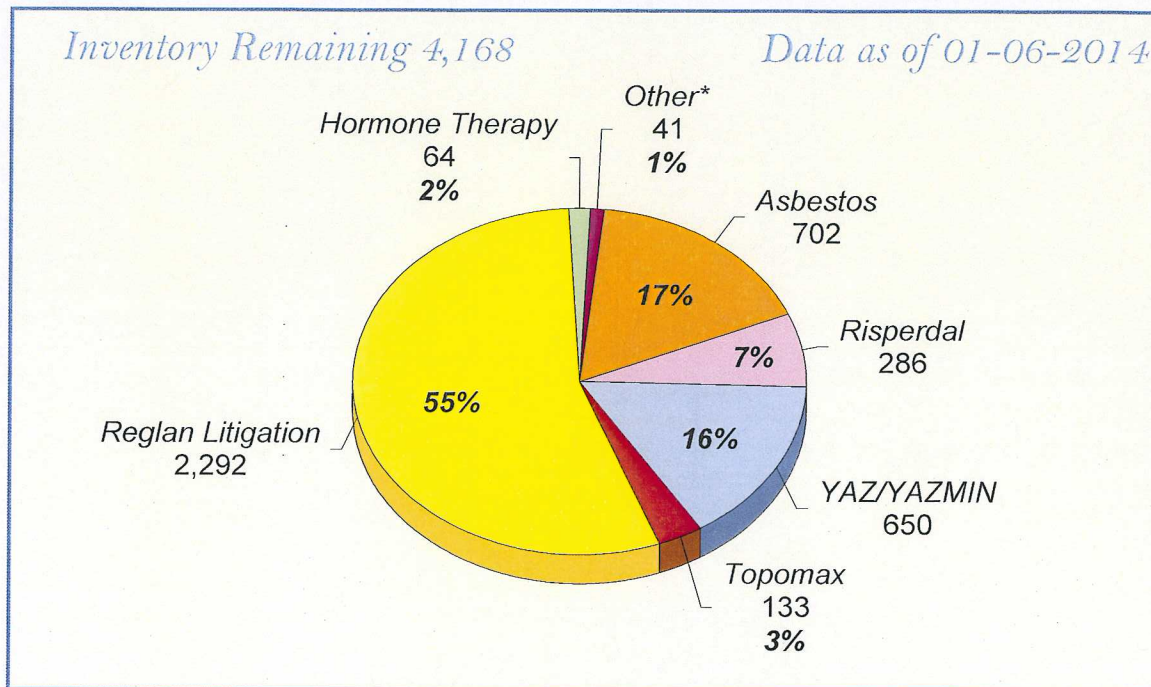
<i>Program:</i>	<i>Records Pending</i>	<i>% of Inventory</i>
Arbitration Program	9,337	30%
Major Jury Program	7,221	23%
Mortgage Foreclosure	5,211	17%
Mass Tort (Asbestos & Pharmaceuticals)	4,168	13%
Major Non-Jury & Arbitration Appeals	2,478	8%
Programs Assigned To Motion Judges	1,682	5%
Governmental & Administrative Agencies	752	2%
Commerce Program	567	2%
TOTAL	31,416	100%

First Judicial District of PA: Trial Division - Civil
Records Pending / Entered / Disposed



Re-Open, Net Deferred and Net Transfer records are not shown on this report. Please see the 2013 Civil Statistical Summary.2

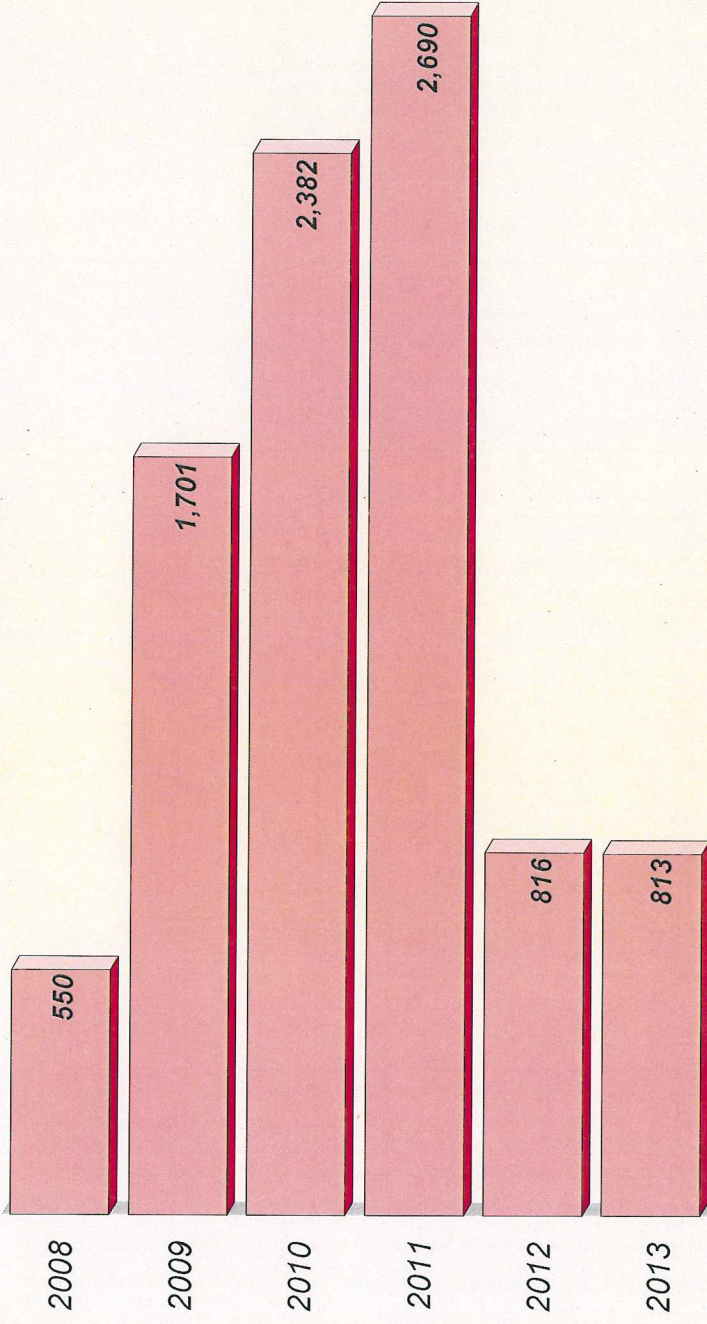
MASS TORT PROGRAM
INVENTORY BREAKDOWN DECEMBER TERM 2013



Program:	Records Pending	% of Records Pending
Reglan Litigation	2,291	55%
Asbestos	702	17%
Yaz/Yazmin/Ocella Litigation	650	16%
Risperdal	286	7%
Topomax Litigation	133	3%
Hormone Therapy	64	2%
Phen-Fen	17	0.41%
Denture Adhesive Cream	15	0.36%
Hydroxycut Litigation	9	0.22%
Arleton Spacer Implant Litigation	1	0.02%
TOTAL	4,168	100%

* Other includes Arleton Spacer Implant Litigation, Phen-Fen, Denture Adhesive Cream and Hydroxycut Litigation.

Mass Tort Filings 2008 - 2013



Between 2008 and 2009, there was an increase of 1,151 Mass Tort filings (or a 209% increase).

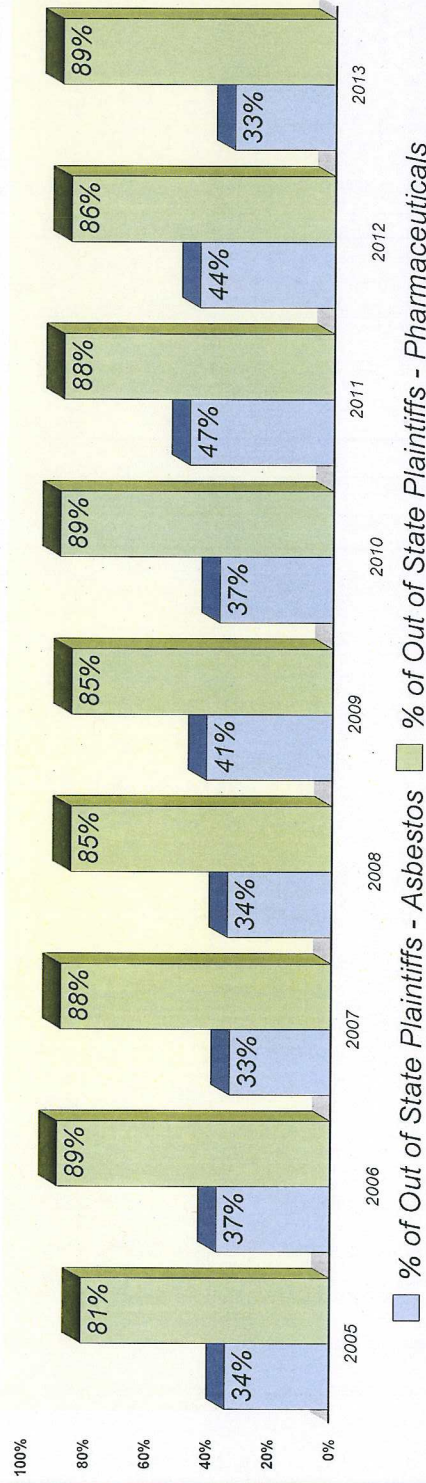
Between 2009 and 2010, there was an increase of 681 Mass Tort filings (or a 40% increase).

Between 2010 and 2011, there was an increase of 308 Mass Tort filings (or a 13% increase).

Between 2011 and 2012, there was a decrease of 1,874 Mass Tort filings (or a 70% decrease).

Between 2012 and 2013, there was a decrease of 3 Mass Tort filings (or a .4% decrease).

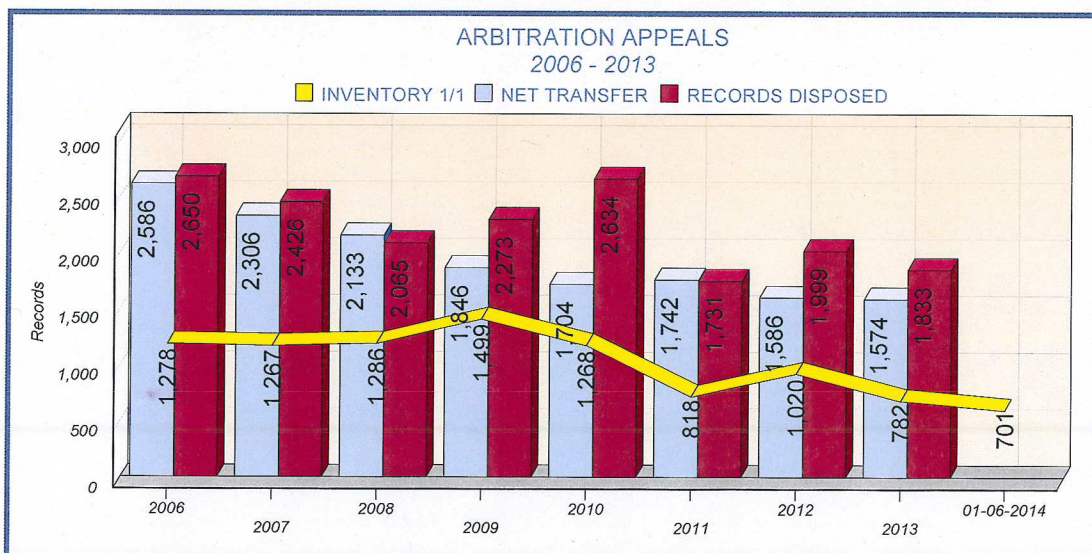
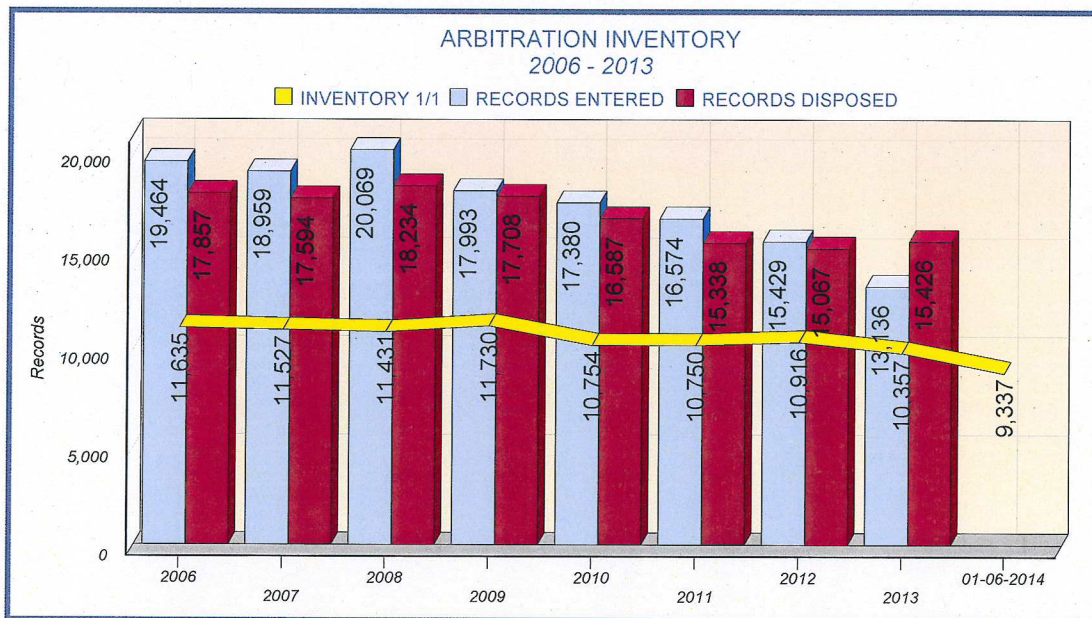
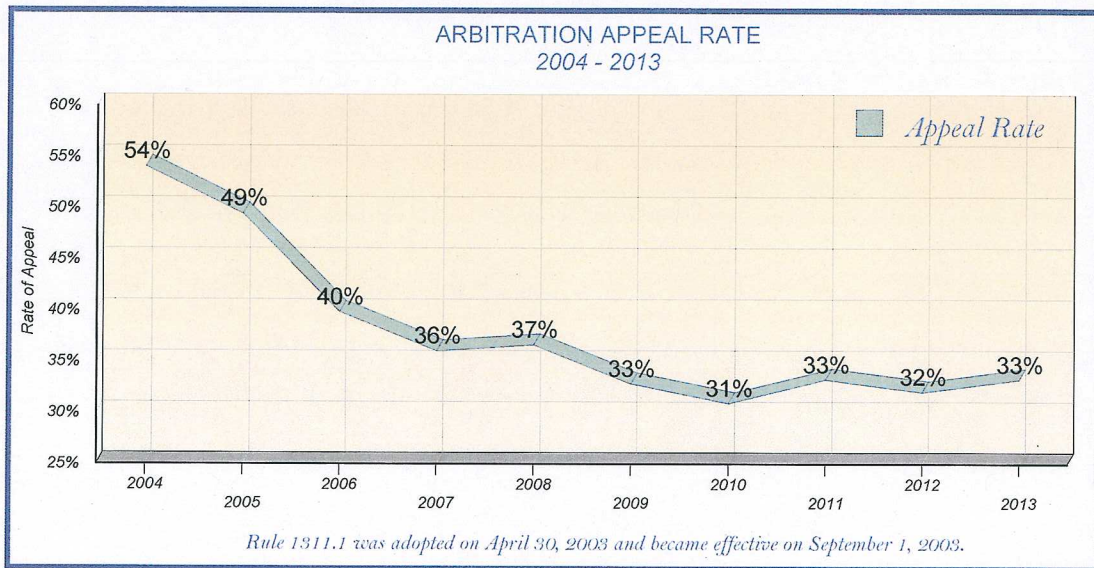
MASS TORT PROGRAM Percentage of Out of State Plaintiffs 2005 - 2013



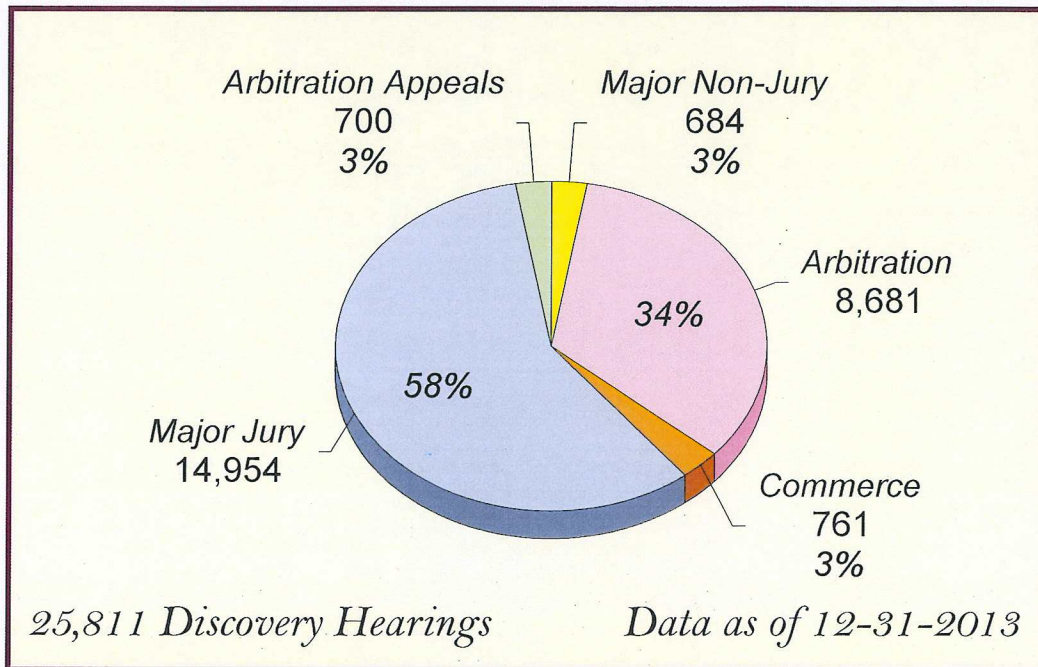
Program Year	Asbestos Filings	Asbestos - Out of State Plaintiffs	% of Out of State Plaintiffs	Pharmaceutical Filings	Pharmaceuticals - Out of State Plaintiffs	% of Out of State Plaintiffs
2005	296	101	34%	344	280	81%
2006	273	102	37%	277	247	89%
2007	205	68	33%	397	349	88%
2008	182	62	34%	500	424	85%
2009	238	97	41%	1,583	1,353	85%
2010	284	106	37%	2,305	2,060	89%
2011	312	147	47%	2,435	2,132	88%
2012	327	143	44%	489	420	86%
2013	330	109	33%	483	429	89%
Total: 2005 - 2013	2,447	935	38%	8,813	7,694	87%

The number of filings for years 2005 - 2011 represents all new filings as well as all matters transferred into the program as of January 17, 2012. Number of filings for 2012 represents only new case filings.

First Judicial District of PA: Trial Division - Civil
ARBITRATION CENTER STATISTICS



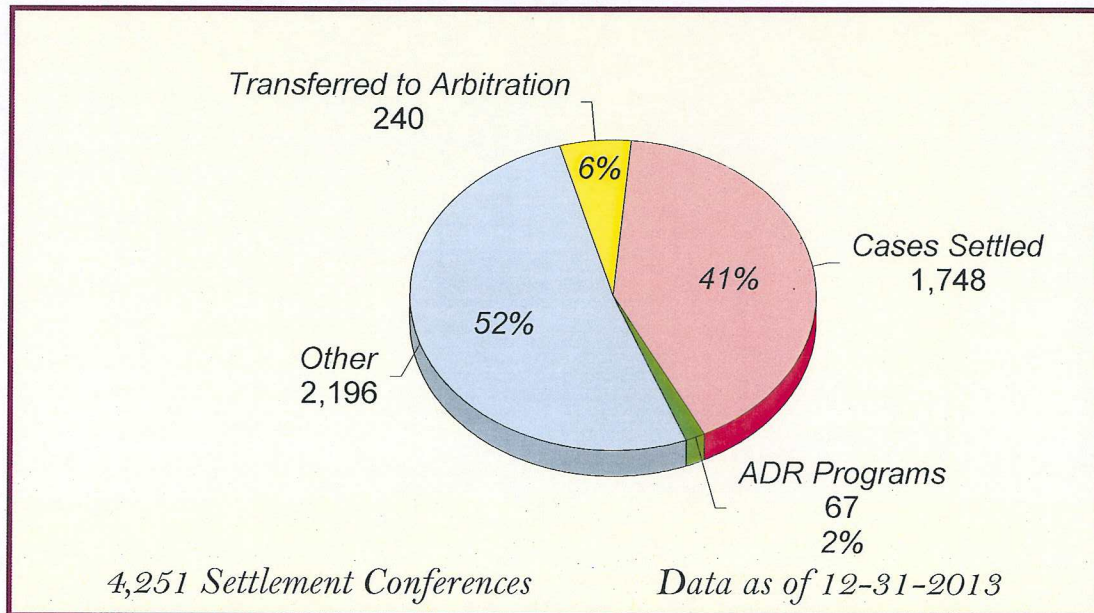
First Judicial District of PA: Trial Division - Civil
DISCOVERY HEARINGS
INVENTORY BREAKDOWN 2013¹



PROGRAM:	Inventory Breakdown	Percent Breakdown
Major Jury Program	14,954	57.94%
Arbitration Program	8,681	33.63%
Arbitration Appeals Program	700	2.71%
Commerce Program	761	2.95%
Major Non-Jury Program	684	2.65%
Petitions	28	0.11%
Class Actions	3	0.01%
TOTAL	25,811	100%

¹ YTD the Discovery Unit processed, scheduled & assigned over 25,811 motions, petitions and stipulations requiring court approval. The Discovery Unit also processed 230 Name Change petitions.

First Judicial District of PA: Trial Division - Civil
DISPUTE RESOLUTION CENTER
INVENTORY BREAKDOWN 2013



PROGRAM:	Inventory Breakdown	Percent Breakdown
Cases Settled	1,748	41%
Transferred to Arbitration	240	6%
ADR Programs (binding mediation)	67	2%
¹ Other	2,196	52%
TOTAL	4,251	100%

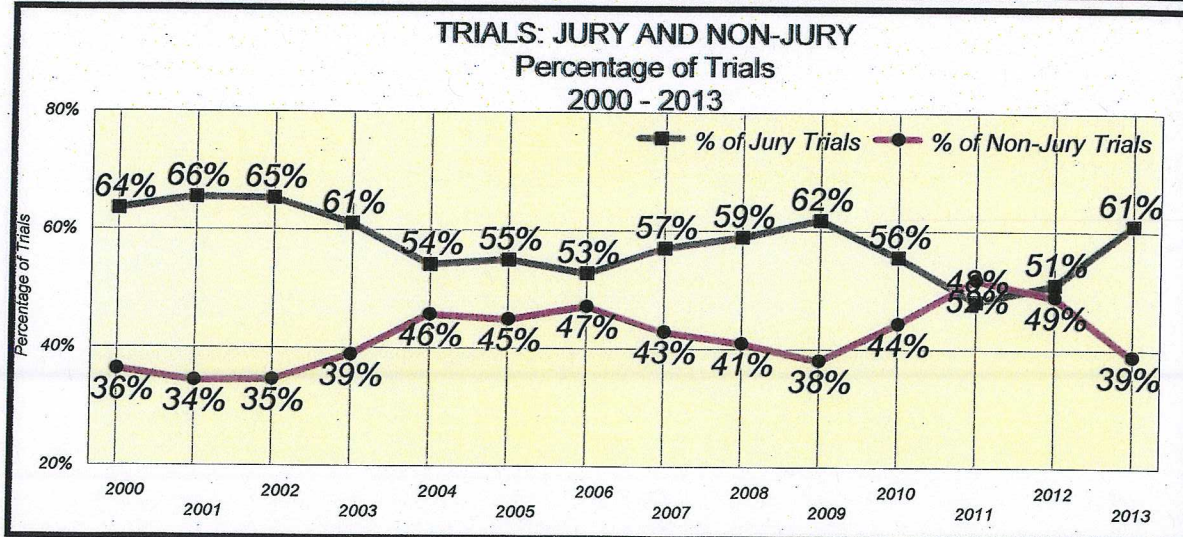
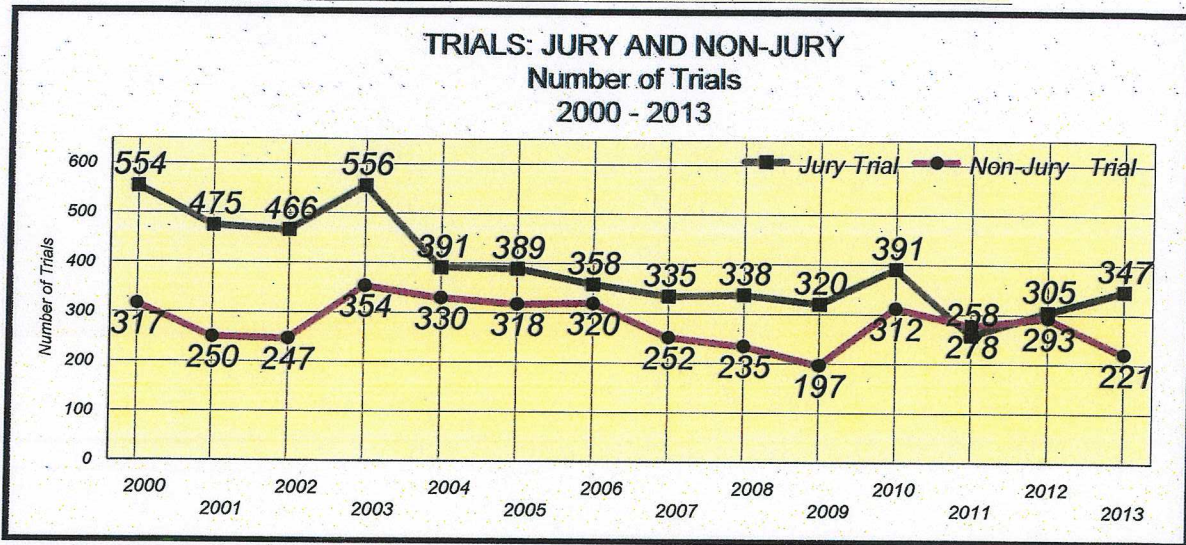
¹ The remaining 52% of the cases moved to the next significant court event, i.e. Pre-Trial Conference/Trials.

First Judicial District of PA: Trial Division - Civil

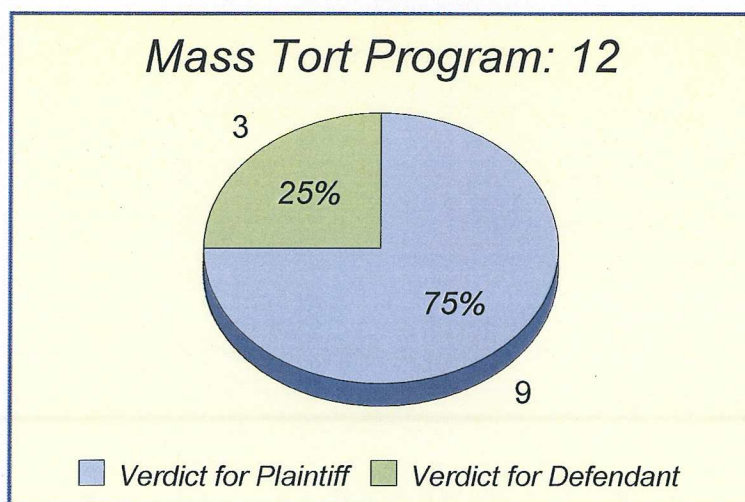
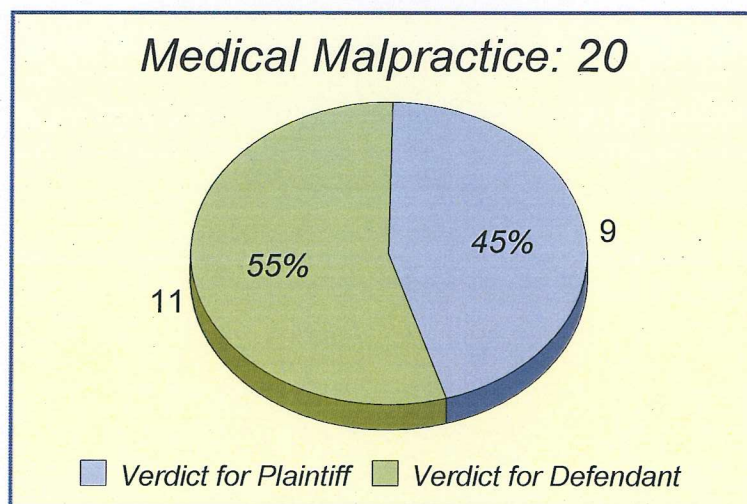
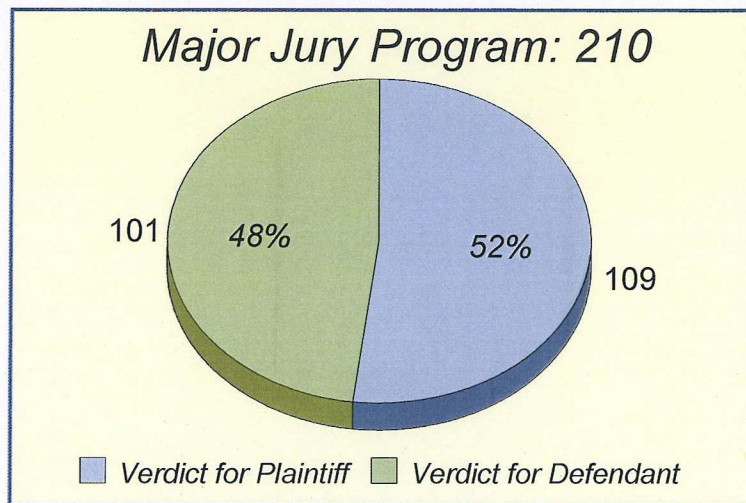
TRIALS: JURY AND NON-JURY

2000 - 2013

YEAR	Jury Trial	% of Jury Trials	Non-Jury Trial	% of Non-Jury Trials	Total Trials
2013	347	61%	221	39%	568
2012	305	51%	293	49%	598
2011	258	48%	278	52%	536
2010	391	56%	312	44%	703
2009	320	62%	197	38%	517
2008	338	59%	235	41%	573
2007	335	57%	252	43%	587
2006	358	53%	320	47%	678
2005	389	55%	318	45%	707
2004	391	54%	330	46%	721
2003	556	61%	354	39%	910
2002	466	65%	247	35%	713
2001	475	66%	250	34%	725
2000	554	64%	317	36%	871



First Judicial District of PA: Trial Division - Civil
Major Jury, Medical Malpractice & Mass Tort
2013 Verdicts





Criminal Trial Division 2013 Review

As of November, Joseph Lanzalotti retired as Deputy Court Administrator and opening the way for Richard T. McSorley, Esquire to proceed in bringing about change and collaborations that have pivoted the court to operate more efficiently and effectively. Each department of the Trial Division refocused their mission and refreshed their actions, resulting in new programs and processes to better meet the goals of the CP Criminal Trial Division. Below, please find a brief overview of the Criminal Division, those new programs and procedures implemented as well as successes and challenges presented by this past year.

Criminal Trials: Homicide, Majors and Waivers

Last year the Homicide Judges saw a clearance rate of **101%**, while the Majors Program had a clearance rate of **106%** and the Waivers had a **96%** clearance rate. The overall efficiency of the Criminal Trial Judiciary and the Criminal Trial Division was in part due to the many changes brought on by the Reformation Program along with newly instituted and various programs of the Criminal Trial Division.

Homicide Dispositions	318
Major Disposed Cases	4,842
Waiver Disposed Cases	10,354
Total CP Criminal Cases	15,514

Reformation of the Trial Division, Active Criminal Records

Criminal Justice Reformation Project was implemented in October 2013. The Offices of Criminal Motions, Appeals, and File Security were reassigned to the Office of Judicial Records, formerly the Clerk of Courts. This transition of the functions was performed seamlessly. Active Criminal Records was reorganized into CP Criminal Listings, which will allow this Unit to focus more on active and post trial case management to ensure earlier disposition rates. There is currently a Criminal Reformation Committee that meets weekly to discuss ongoing issues and provide resolutions to improve efficiencies and provide better service to customers.

Time to Disposition-Homicide and Majors Bring Back Program.

In 2013 a program was begun that reviewed the inventory of the Homicide Judges in an effort to directly schedule earlier trial dates from the Pretrial Conference before the Honorable Benjamin Lerner. This method of direct scheduling has reduced many trial dates by up to three (3) months. The Majors Bring Back program reviewed cases listed out for trial over two (2) years. These cases were reviewed by a Trial Commissioner and rescheduled back for status before the Supervising Judge, Jeffrey Minehart. Approximately 88 cases were reviewed with 57% of those cases receiving either earlier trial dates or dispositions. These two programs show the need for more direct and streamlined case management and scheduling by the Criminal Trial Division.

Indicting Grand Jury and Witness Intimidation

In 2013 the District Attorney's Grand Jury Indictment Program processed approximately 721 cases. The criteria for a Grand Jury case is one that has or may have an element of victim or witness intimidation. These cases are fast tracked from the Municipal Court Preliminary Arraignment directly into the Court of Common Pleas for status and review. Once the case is Held for Court it is again fast tracked directly from CP Formal Arraignment to one of 12 CP Grand Jury Judges for trial. This allows a speedier resolution of these sensitive matters and protects the victims and witnesses and defeats the culture of "don't snitch".

Cell phone abuse is a major tool of Victim/Witness Intimidation. The new FJD Policy on cell phone usage has been published and signs have been posted in the Lobby, the public elevators and on all four courtroom doors in the entire building. While cell phone abuse still occurs, the Courts and/or Police have been confiscating and searching cell phones, and making arrests, where appropriate.

Due to the Jury Flow Program and employee vigilance, instances of attempted juror intimidation have been all but eliminated.

Defendant Failure to Appear (FTA) Rate and Bench Warrants and Robo-Calls

A total review of the bench warrant inventory of 37,000 warrants is being undertaken by the Criminal Trial Division and the Office of Judicial Records. We are focusing on the defendant's status and investigation of the actual case. When possible, warrants are removed from inventory and/or possibly listed for non-trial disposition. This ongoing program is working steadily to reduce the bench warrant inventory

In 2013 the BW inventory was reduced by approximately 1000 cases. This is in part due to Reformation enacted Bench Warrant Court managed by the Court of Common Pleas and Municipal Court and the ongoing review program. Additionally a reporting system has been put in place between PTS and OJR so that when a non-extraditable hit in NCIC occurs, a docket entry is entered into CPCMS. (An example of a non-extraditable case is an outstanding bench warrant on a misdemeanor criminal drug possession case.). This new policy:

- Allows the Court to know when a defendant has been stopped by jurisdictions outside of Philadelphia
- Cost to hold, extradite and transport a person stopped in another state is cost prohibitive to the nature of the offense and public safety
- Instead defendant is alerted (by letter) that the case is still active and provides surrender information and steps to resolve outstanding bench warrant

Robo-Call Court Date Notification. In hopes to decrease the FTA rate and in cooperation with Municipal Court, a new automated system to notify all defendants of upcoming criminal cases has been implemented in 2013. Automated calls are made to defendants' phones 48 hours before their next court date; the calls include notifications of trial, preliminary hearing, status or post trial hearings. Not yet implemented but in the works are email and text message notifications. The Criminal Trial Division is using available technology in a simple way to make positive change.

Prison Population and Prisoner Transportation

In cooperation with the Court of Common Pleas, Municipal Court, District Attorney's Office, Defender Association, PA State Department of Corrections, Philadelphia Prisons System and the Managing Directors Office a new look is being taken at the statewide prison population transportation problems and the local transportation issued of the Philadelphia Sheriff's Department. The goal is to minimize the need to transport prisoners, dispose of custody cases when a prisoner is transported and provide video access of defendants for faster disposition without transportation. The growing population is still a major concern for the Court as resources such as Sheriffs needed in criminal courtrooms are diverted to transportation duties. However, the use of video technology may help to reduce transportation needs.

This program requires the efforts of all agencies on several fronts to schedule and conduct hearings and interview defendants via video. The FJD has just recently acquired funding to expand its video connectivity to the local prison and more importantly create connections to the surrounding county prisons. This will not only allow more video hearings but attorney/client access in some cases to convey offers. The Defender's Association has agreed to begin a pilot program of conducting post trial violation of probation hearings via video. Video technology will result in tremendous savings of monies and time as it increases in use and depth.

Attached are supporting statistics of the Criminal Division



CLEARANCE RATE 2013

PREPARED BY
Jennifer Ambile

JANUARY

	Homicide	Majors	List	Total
New Cases	26	396	880	1,302
Disposed Cases	24	449	909	1,382
Clearance Rate	92%	113%	103%	106%

FEBRUARY

	Homicide	Majors	List	Total
New Cases	27	390	943	1,360
Disposed Cases	25	403	784	1,212
Clearance Rate	93%	103%	83%	89%

MARCH

	Homicide	Majors	List	Total
New Cases	38	561	867	1,466
Disposed Cases	30	500	848	1,378
Clearance Rate	79%	89%	98%	94%

APRIL

	Homicide	Majors	List	Total
New Cases	30	434	1,088	1,552
Disposed Cases	28	479	959	1,466
Clearance Rate	93%	110%	88%	94%

MAY

	Homicide	Majors	List	Total
New Cases	32	380	1025	1,437
Disposed Cases	27	399	941	1,367
Clearance Rate	84%	105%	92%	95%

JUNE

	Homicide	Majors	List	Total
New Cases	27	276	971	1,274
Disposed Cases	27	433	827	1,287
Clearance Rate	100%	157%	85%	101%

JULY

	Homicide	Majors	List	Total
New Cases	23	346	1017	1,386
Disposed Cases	29	321	834	1,184
Clearance Rate	126%	93%	82%	85%

AUGUST

	Homicide	Majors	List	Total
New Cases	28	304	910	1,242
Disposed Cases	21	377	794	1,192
Clearance Rate	75%	124%	87%	96%

SEPTEMBER

	Homicide	Majors	List	Total
New Cases	21	354	854	1,229
Disposed Cases	34	401	898	1,333
Clearance Rate	162%	113%	105%	108%

OCTOBER

	Homicide	Majors	List	Total
New Cases	26	417	918	1,361
Disposed Cases	27	412	900	1,339
Clearance Rate	104%	99%	98%	98%

NOVEMBER

	Homicide	Majors	List	Total
New Cases	17	409	786	1,212
Disposed Cases	30	349	942	1,321
Clearance Rate	123%	108%	102%	109%

DECEMBER

	Homicide	Majors	List	Total
New Cases	20	286	835	1,141
Disposed Cases	16	319	718	1,053
Clearance Rate	80%	112%	86%	92%

TOTAL YEAR TO DATE 2013

	Homicide	Majors	List	Total
New Cases	315	4,553	11,094	15,962
Disposed Cases	318	4,842	10,354	15,514
Clearance Rate	101%	106%	93%	97%

CONVICTION RATE
YEAR TO DATE
BY DOCKET NUMBER

78.5%



DISPOSITIONS BY TYPE

[2013] COMMON PLEAS COURT CRIMINAL TRIAL DIVISION

PREPARED BY
Jennifer Hmskile

CONVICTION RATE

YEAR TO DATE
BY DOCKET NUMBER

78.5%

TOTAL PLEAS

YEAR TO DATE

10,326

JURY TRIALS

YEAR TO DATE

648

DISPOSITION BY TYPE

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Abatement	3	3	4	6	3	3	7	7	5	20	6	12	79
Administrative Closure	4	18	89	38	4	2	10	4	5	4	7	28	213
ARD	23	39	22	30	26	22	27	26	18	30	15	15	293
Dismissed	12	11	13	17	9	14	8	18	21	11	16	15	165
Guilty	150	142	138	136	162	130	94	104	142	130	151	84	1,563
Guilty Plea	129	151	143	162	176	128	158	151	184	190	176	140	1,888
Guilty Negotiated	710	617	728	821	708	689	667	641	704	703	648	548	8,184
Nolo Contendre Plea	26	22	20	26	14	35	17	15	16	33	16	14	254
Total Pleas	865	790	891	1,009	898	852	842	807	904	926	840	702	10,326
% of Total Dispositions	63%	65%	65%	69%	66%	66%	71%	68%	68%	69%	64%	67%	66%
Nolle Prose	224	114	133	143	163	171	118	124	132	123	194	125	1,764
Not Guilty	61	57	63	58	69	55	40	58	63	66	63	44	697
Quashed	22	21	9	16	16	25	24	26	25	20	13	16	233
Remand to MC Court	4	3	3	5	3	6	0	6	2	0	1	0	33
Transfer to Juvenile	7	8	5	2	4	4	2	4	2	2	4	3	47
Judgment of Acquittal	3	3	1	2	4	3	5	2	4	2	4	3	36
Withdrawn	0	0	1	0	0	0	0	1	2	5	7	0	16
*Other	4	3	6	4	6	0	7	5	8	0	0	6	49
Total	1,382	1,212	1,378	1,466	1,367	1,287	1,184	1,192	1,333	1,339	1,321	1,053	15,514
Uncategorized	9	11	10	16	12	13	17	14	9	10	20	17	17
Grand Total	1,391	1,223	1,388	1,482	1,379	1,300	1,201	1,206	1,342	1,349	1,341	1,070	15,531

DISPOSITION BY JURY

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Guilty	28	40	50	29	46	35	20	31	35	35	45	17	411
Not Guilty	21	18	29	11	23	20	11	18	27	27	15	17	237
Total	49	58	79	40	69	55	31	49	62	62	60	34	648

DISPOSITION BY PROGRAM

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Homicide	24	25	30	28	27	27	29	21	34	27	30	16	318
Majors	449	403	500	479	399	433	321	377	401	412	349	319	4,842
List	909	784	848	959	941	827	834	794	898	900	942	718	10,354
Total	1,382	1,212	1,378	1,466	1,367	1,287	1,184	1,192	1,333	1,339	1,321	1,053	15,514
Uncategorized	9	11	10	16	12	13	17	14	9	10	20	17	17
Grand Total	1,391	1,223	1,388	1,482	1,379	1,300	1,201	1,206	1,342	1,349	1,341	1,070	15,531

*Other: Mistrial, Transfer Proceedings, Transferred to Another Jurisdiction

January 15, 2014



VIDEO HEARINGS

[2013] COMMON PLEAS COURT CRIMINAL TRIAL DIVISION

PREPARED BY
Jennifer Amabile

STATE													
STATE VIDEO HEARINGS (COURTROOM 1106)	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Violation of Probation	17	11	9	14	15	12	14	22	22	18	30	18	202
PCRA	4	4	8	8	11	6	8	8	8	4	5	10	84
Sentencing's	3	1	1	5	2	4	0	3	2	7	4	7	39
Grazier Hearings	4	1	0	3	2	0	3	4	1	4	3	3	28
Guilty Plea Hearings	5	1	2	3	0	4	0	3	2	2	0	1	23
Post Trial Motion	2	3	1	0	1	2	3	0	3	0	3	1	19
State Intermediate Punishment	3	7	36	31	3	10	30	11	12	2	8	15	168
Other	4	1	3	9	8	7	8	4	3	6	8	1	62
Attorney/Client Interview Program (401)	4	4	3	10	2	6	8	6	2	4	3	4	56
AVOPP Video Hearings (1103)	3	0	4	9	2	5	0	0	1	5	3	2	34
TOTAL STATE VIDEO HEARINGS	49	33	67	92	46	56	74	61	56	52	67	62	715
STATE COST TRANSPORTATION SAVINGS	\$11,760	\$7,920	\$16,180	\$22,180	\$11,140	\$13,640	\$17,860	\$15,040	\$13,540	\$12,580	\$16,380	\$14,880	\$173,100

COUNTY													
COUNTY VIDEO HEARINGS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Extradition Conferences	143	119	91	123	105	61	95	93	129	143	107	92	1,301
Bench Warrants, Status Re-arrests, etc.	53	36	20	22	24	25	47	51	37	31	40	43	429
County Intermediate Punishment Conferences	0	0	0	0	0	0	0	0	0	0	0	0	0
AVOPP Video Hearings (1103)	122	79	97	109	90	124	60	129	90	175	80	70	1,225
Attorney/Client Interview Program (401)	40	60	44	40	60	50	48	36	42	55	35	34	544
Gagnon I Hearings (206)	56	70	65	60	70	53	58	58	71	94	81	64	800
TOTAL COUNTY VIDEO HEARINGS	414	364	317	354	349	313	308	367	369	498	343	303	4,299
COUNTY COST TRANSPORTATION SAVINGS	\$36,525	\$26,877	\$23,891	\$29,174	\$25,154	\$24,121	\$23,202	\$31,357	\$29,404	\$40,086	\$26,073	\$23,546	\$339,411

TOTAL VIDEO HEARINGS (County & State)	463	397	384	446	395	369	382	428	425	550	410	365	5,014
--	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	--------------

TRANSPORTATION COST SAVINGS													
TRANSPORTATION COST SAVINGS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
State Custody (cost varies by institution)	\$11,760	\$7,920	\$16,180	\$22,180	\$11,140	\$13,640	\$17,860	\$15,040	\$13,540	\$12,580	\$16,380	\$14,880	\$173,100
County Custody (cost is \$114.86 per defendant)	\$36,525	\$26,877	\$23,891	\$29,174	\$25,154	\$24,121	\$23,202	\$31,357	\$29,404	\$40,086	\$26,073	\$23,546	\$339,411
TOTAL TRANSPORTATION SAVINGS	\$48,285	\$34,797	\$40,071	\$51,354	\$36,294	\$37,761	\$41,062	\$46,397	\$42,944	\$52,666	\$42,453	\$38,426	\$512,511

631A Waiver Program / Jury Selection	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Waiver Program / Jury Selection (631A)	--	--	--	--	22	25	17	17	18	26	18	13	156

January 15, 2014