

Superior Court of Pennsylvania

Annual Report 2005





EXIT



The

Superior Court dedicates this Annual Report for 2005 to three outstanding jurists who retired at the end of the year.



Judge Peter Paul Olszewski



Justice Frank J. Montemuro, Jr.



Judge Phyllis W. Beck

JUDGE PETER PAUL OLSZEWSKI began his judicial career as a trial judge in 1968 and on this court in 1984. His lengthy legal career as a trial lawyer and judge gave him a wealth of experience in the matters before him.

JUSTICE FRANK J. MONTEMURO, JR. began his judicial career as a trial judge in 1964 and on our court in 1980. He was appointed to the Supreme Court in 1992. His leadership on numerous commissions and organizations brought credit to the court.

JUDGE PHYLLIS W. BECK began her judicial career on this court in 1981. She was the first woman to serve on the Superior Court. Her career in academia, her leadership of the Commission on Judicial Reform and her career as a practicing lawyer gave her a broad perspective on the issues she decided.



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SUPERIOR COURT OF PENNSYLVANIA



CHAMBERS OF PRESIDENT JUDGE
2000 OXFORD DRIVE, SUITE 470
BETHEL PARK, PA 15102

JOSEPH A. DEL SOLE
PRESIDENT JUDGE

To the Citizens of Pennsylvania:

I am proud to present the 2005 Annual Report of the Superior Court of Pennsylvania. As the statistics demonstrate, the court continued its mission of timely deciding the cases brought before it.

I have had the privilege to serve as the President Judge for the last five years. During these years, seven new judges joined the court and eight ended their service.

We constructed new Administrative Offices in Pittsburgh and Harrisburg, while also improving those offices in Philadelphia. Restoration of our Philadelphia courtroom and surrounding space is complete.

Our primary resource is the men and women who work for the court. We are featuring them in this report with thanks for their service.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph A. Del Sole".

Joseph A. Del Sole
PRESIDENT JUDGE

The year in review



ON JANUARY 2, 2005, our colleague, Retired President Judge Emeritus William F. Cercone, died following a long illness.

In May, the court accepted a portrait of former President Judge Edmund B. Spaeth for display in the Philadelphia Courtroom.

The second annual Appellate Courts Educational Conference was held in Pennsylvania at Nemacolin Woodlands. Michael J. Klarman, the James Monroe Distinguished Professor of Law and Professor of History at the University of Virginia, presented a review of United States Supreme Court decisions involving racial equality. Professor Pam Karlan of the Stanford Law School presented a review of the decisions of the United States Supreme Court's recent term.

Marvin Rudnitsky, Esquire, David Frankforter, Director of Human Resources of the Administrative Office of Pennsylvania Courts, and Joseph Torta, representative of the State Employees' Retirement System, presented a program on the options available for benefits and retirement planning.

The court continued its practice to "ride the circuit," holding sessions in Lackawanna, Delaware, Venango and Mifflin Counties and at Villanova, Penn, Temple and Widener Law Schools. Pennsylvania Cable Network continued its gavel-to-gavel broadcast of the court's en banc sessions. These programs are a vital part of the court's commitment to inform and educate the public on the workings of the appellate process.

In September, our long-time Executive Administrator, R. Mitchell Gruner, Esquire, resigned to work full time for the National Center for State Courts United Nations project to develop a judicial system in Kosovo. His selection for the project is recognition of his many talents and understanding of the judicial process.

The court met in Administrative Session on November 15, 2005, and elected Judge Kate Ford Elliott as its next President Judge. Her term commences January 9, 2006.

On December 31, 2005, Judge Peter Paul Olszewski, Justice Frank J. Montemuro, Jr. and Judge Phyllis W. Beck ended their outstanding legal careers with the court. They each have demonstrated a commitment to excellence. They are our friends and will be missed.

2005 ANNUAL REPORT STATISTICS

APPEALS PENDING, FILED AND CONCLUDED

	TOTAL	CIVIL	CRIMINAL
Appeals Pending 01/01/2005	5985	2196	3789
New Appeals Filed in 2005	7946	3286	4660
Appeals Concluded in 2005	7770	3295	4475
Appeals Pending 01/01/2006	6161	2187	3974

APPEALS, PETITIONS AND WIRETAPS FILED, BY DISTRICT

	TOTAL	EAST	MIDDLE	WEST
Appeals Filed	7946	3530	2176	2240
Petitions Filed	9814	5671	1603	2540
Misc. Dkt Filings	374	135	85	154
Wiretaps	46	30	-	16

REARGUMENT/RECONSIDERATION

Petitions Filed:	459
Petitions Granted:	32
PERCENT GRANTED:	7%

APPEALS BY COUNTY OF ORIGIN

Adams	33	Lackawanna	133
Allegheny	854	Lancaster	178
Armstrong	23	Lawrence	61
Beaver	59	Lebanon	57
Bedford	30	Lehigh	167
Berks	297	Luzerne	190
Blair	80	Lycoming	86
Bradford	41	McKean	19
Bucks	198	Mercer	82
Butler	83	Mifflin	23
Cambria	50	Monroe	119
Cameron	1	Montgomery	304
Carbon	25	Montour	9
Centre	107	Northampton	106
Chester	184	Northumberland	35
Clarion	25	Perry	26
Clearfield	35	Philadelphia	2038
Clinton	43	Pike	39
Columbia	31	Potter	15
Crawford	56	Schuylkill	66
Cumberland	89	Snyder	20
Dauphin	283	Somerset	34
Delaware	302	Sullivan	3
Elk	18	Susquehanna	21
Erie	225	Tioga	21
Fayette	89	Union	23
Forest	5	Venango	33
Franklin	38	Warren	27
Fulton	9	Washington	87
Greene	32	Wayne	48
Huntingdon	19	Westmoreland	148
Indiana	31	Wyoming	12
Jefferson	38	York	272
Juniata	11	TOTAL	7946

APPEALS BY TYPE OF CASE

Adoption	26	Estate/Probate/Wills/Intestate	106	Summary Offense/Conviction	80
Aggravated Assault	490	Forgery	40	Termination of Parental Rights	98
Arbitration	33	Harassment	40	Terroristic Threats	35
Arson	24	Homicide	142	Theft	142
Assault	23	Indecent Assault	102	Theft by Unlawful Taking	31
Assumpsit	99	Involuntary Deviate Sexual Conduct	87	Tort	32
Burglary	217	Involuntary Termination of Parental Rights	178	Trespass	155
Child Support	163	Landlord/Tenant	26	Uniform Firearms Act	58
Civil Action Law	787	Medical Malpractice	80	Vehicle Violation	64
Contract	119	Mortgage Foreclosure	54	Other Civil*	344
Controlled Substance	564	Motor Vehicle Accident	60	Other Criminal*	464
Corruption of Minors	64	Murder	196	TOTAL	7946
Criminal	138	Murder 1	166		
Criminal Conspiracy	101	Murder 2	21		
Criminal Trespass	24	Murder 3	49		
Custody/Visitation	229	Ordinance Violation	32		
Declaratory Judgment	67	Possession of an Instrument of Crime	24		
Dependency	148	Possession with Intent to Deliver	162		
Disorderly Conduct	32	Protection from Abuse	49		
Divorce	245	Rape	239		
Driving Under the Influence	341	Receiving Stolen Property	52		
Ejectment	26	Recklessly Endanger Another Person	31		
Endangering Welfare of Children	33	Robbery	315		
Equity	120	Simple Assault	54		
Escape	25				

*Includes appeals originally classified as "other" as well as appeals originally classified in categories with fewer than 20 appeals filed in 2005

OPINIONS FILED

	TOTAL	CIVIL	CRIMINAL
Published Opinions 2005	435	239	196
Non-published opinions 2005	4602	1546	3056
TOTAL 2005	5037	1785	3252

DISPOSITIONS BY TYPE

	TOTAL	CIVIL	CRIMINAL
By Filed Decision	5375	1961	3414
By Order or Discontinuance	2395	1334	1061
TOTAL 2005	7770	3295	4475

SUPERIOR COURT TREATMENT OF CASES FROM COURTS OF COMMON PLEAS

	TOTAL ALL CASES	%	CASES DECIDED BY PUBLISHED OPINIONS	%	CASES DECIDED BY UNPUBLISHED OPINIONS	
Affirmed	4151	77.2	272	56.4	3879	79.3
Reversed	785	14.6	156	32.4	629	12.9
Affirmed in Part, Reversed in Part	202	3.8	37	7.7	165	3.4
Quashed, Dismissed, Transferred	213	4.0	14	2.9	199	4.1
Other	24	0.4	3	0.6	21	0.4
TOTAL	5375	482	4893			

MEDIAN NUMBER OF DAYS TO DISPOSITION FOR APPEALS CONCLUDED IN 2005

From Superior Court docket date for all appeals	268
From Superior Court docket date for appeals disposed by order or discontinuance	74
From Superior Court docket date for appeals disposed by filed decision	321
From original record filing date for appeals disposed by filed decision	242
From filing date of last brief filed	139

SUPREME COURT TREATMENT OF SUPERIOR COURT CASES

ALLOCATORS: PETITIONS FILED & CONCLUDED IN 2005

Total Allocatur Petitions Filed In 2005	
from Superior Court Decisions	2041
Number Granted	124
Number Denied	2115
Number Voided	4
Other Disposition	35
Open	822

DISPOSITIONS OF APPEALS FROM
SUPERIOR COURT CASES

Reversed	31
Affirmed	31
Other*	28
Total	90

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

Joseph A. Del Sole



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

Judge Del Sole co-authored "The Demise of Fair Trade in Pennsylvania" which appeared in the Duquesne University Law Review and is the author of "Appellate Review in a Sentencing Guidelines Jurisdiction: The Pennsylvania Experience." 31 Duq. L. Rev. 479 (1993). He was instrumental in spearheading the Superior Court's computerization and statistical development programs. He was a member of the former Judicial Inquiry and Review Board and was the first Chairman of the Judicial Conduct Board.

He was appointed to the Allegheny County Court of Common Pleas in 1978 and elected to a full term in 1979. He was elected to the Superior Court in 1983, and retained for a third term in 2003. He is now the President Judge of the Superior Court of Pennsylvania.

He and his wife, Karen, have three children and five grand children.

Joseph A. Hudock



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

He was elected to the Court of Common Pleas of Westmoreland County and served for 12 years before being elected to the Superior Court in November, 1989. He was retained for another term in 1999.

He has been actively involved for many years with the Advisory Board of the Salvation Army, Rotary Club, Boy Scouts, Community Nursing Service, and the United Way of Central Westmoreland, serving at one time as campaign manager and president of the latter.

He has been a member of the Regional Planning Council of the Governor's Justice Commission, the Latrobe Area Task Force of the Diocese of Greensburg, and the Alumni Council of St. Vincent College. In 1987, he was awarded the St. Vincent College "Alumnus of Distinction Award". He was a member of the Editorial Board of "The Practical Litigator" for ten years. He was a founding member and past president of the Westmoreland American Inn of Court. He was the Past Chairman of the Supreme Court Appellate Procedural Rules Committee.

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

Judge

Kate Ford
Elliott



JUDGE KATE FORD ELLIOTT was born June 8, 1949, in Pittsburgh. She attended the University of Pittsburgh, where, in 1971, she earned a B.A. in Education; Duquesne University, M.S. in Education, 1973; Duquesne University School of Law, J.D. 1978.

A member of the Allegheny County, Pennsylvania, and American Bar Associations, Judge Ford Elliott is also Past Chairperson of the Allegheny County Appellate Practice Committee, a member of the ABA Judicial Administration Division, Vice Chair of the Pennsylvania Futures Commission on Justice in the 21st Century established by the Pennsylvania Supreme Court, and is a member of the PBA Commission on Justice Initiatives.

She is a Fellow of the American Bar Foundation, a member of the National Association of Women Judges, and the American Judicature Society. She has served on the Executive Board of the ABA Committee of Appellate Staff Attorneys and is a frequent lecturer on issues of Appellate Practice and Procedure. She was elected Judge of the Superior Court of Pennsylvania in November 1989 and retained in 1999. Judge Ford Elliott becomes President Judge of the Superior Court on January 9, 2006.

Michael T. Joyce



JUDGE MICHAEL T. JOYCE was born Feb. 24, 1949 in Pittsburgh. He received his B.A. from the Pennsylvania State University in 1973 and was awarded a J.D. from the Franklin Pierce Law Center in 1977. From 1967 to 1970 Michael Joyce served in the U.S. Army. After graduating from Army Intelligence School, he attended the Defense Language Institute from January 1968 to January 1969 where he learned to read, write and speak the three main dialects of Vietnamese. Judge Joyce served 13 months in Vietnam with the 25th Infantry Division. He attained the rank of Staff Sergeant at the age of 20 and was awarded the Bronze Star medal and two Army Commendation Medals. He was a Presidential Law Clerk in The White House in 1975, and maintained a private practice from 1977-85. He was appointed judge, Erie County Court of Common Pleas in July 1985 after winning both the Republican and Democratic primaries. He was then elected to a ten-year term in November 1985, and retained for an additional term in November 1995. He was elected a judge of the Superior Court in November 1997. Judge Joyce is a member of the Pennsylvania Trial Judges Association, American Judicature Society, American Judges Association, Pennsylvania Bar Association, Penn State Behrend Athlete's Hall of Fame, Erie County Bar Association, Penn State Alumni Association, the Domestic Relations Association of Pennsylvania, Vietnam Veterans of America, Veterans of Foreign Wars, Vietnam Veterans of Pennsylvania, American Legion, Millcreek Youth Athletic Association and served as an Explorer leader, Boy Scouts of America. Judge Joyce is a licensed SCUBA diving instructor certified by both the Professional Association of Dive Instructors (PADI) and the National Association of Dive Instructors (NAUI) and a member of the Erie County Sheriff's Scuba Rescue and Recovery Dive Team. He is also a private pilot and a member of the Airplane Owners and Pilots Association (AOPA).

Judge

Correale F. Stevens



JUDGE CORREALE F. STEVENS was born in Hazleton. Judge Stevens graduated from Pennsylvania State University with a Bachelor of Arts degree and from Dickinson School of Law with a J.D. While in law school, he was an associate editor of the Dickinson Law Review.

Judge Stevens was engaged in the private practice of law, served as Hazleton City Solicitor and Hazleton City Authority Solicitor. He was named Outstanding Young Pennsylvanian by the state Jaycee organization and served on the executive board of the Wilkes-Barre Law and Library Association.

In 1980, Judge Stevens was elected to the Pennsylvania House of Representatives, and was re-elected in 1982, 1984 and 1986. In 1987 he was elected District Attorney of Luzerne County, and in 1991 he was appointed to the Court of Common Pleas of Luzerne County and elected to a full term that same year. In November 1997, Judge Stevens was elected to the Superior Court.

Judge

John L. Musmanno

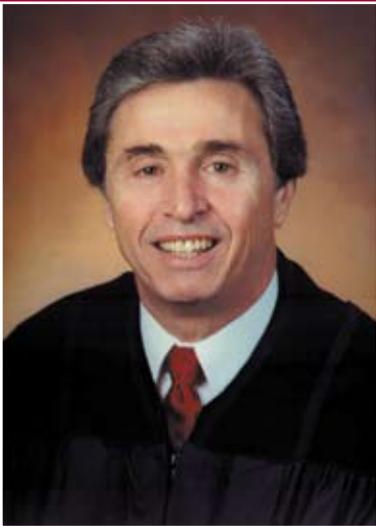


JUDGE JOHN L. MUSMANNO was born in McKees Rocks, Pa. He received a Bachelor of Arts degree from Washington & Jefferson College in 1963, graduating magna cum laude and Phi Beta Kappa, and a Juris Doctor from Vanderbilt University School of Law in 1966, where he was an assistant editor of the Vanderbilt Law Review.

Judge Musmanno is a member of the American, Pennsylvania and Allegheny County Bar Associations.

He received the President's Award, Pennsylvania Trial Lawyers Association in 1991, and the Academy of Trial Lawyers of Allegheny County award in 1993. He served on the Pennsylvania Judicial Conduct Board 2001-2005 and presently serves on the Court of Judicial Discipline.

He maintained a private law practice, 1966-81, was elected district justice, 1970-81; elected judge, Allegheny County Court of Common Pleas, 1981 where he served in the Family, Criminal and Civil divisions. He was re-elected in 1991; and was the administrative judge, Civil division, Allegheny County Court of Common Pleas, 1990-97. In November 1997, he was elected to the Superior Court.



Joan Orie Melvin



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

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

Judge Orie Melvin is a member of the American Bar Association, the Pennsylvania Bar Association and the Allegheny County Bar Association. She is also a member of the American Judicature Society, the International Association of Women Judges and the Federal Circuit Bar Association. She is a member of Executive Women's Council of Greater Pittsburgh and a past member of the Pittsburgh Chapter of the American Inns of Court and the Allegheny County Mental Health/Mental Retardation Advisory Board. She is past President of the Allegheny County Prison Board. She currently serves on the Board of Directors of Passavant Hospital. She also served as a member of the Board of Directors of the Vincentian Home and as a member of the United Way Community Problem Solving Troubled Youth Committee and STOP Violence Task Force.

Judge Orie Melvin was the recipient of Carlow College's Woman of Spirit Award; Duquesne University School of Law Women's Law Association Woman of the Year; the YMCA of Greater Pittsburgh - A Tribute to Women Leadership Award in Government/Public & Civic Service; Anne B. Anstine Excellence in Public Service Award-2004; the Berks County Bar Association Liberty Bell Award-2005; and the Pennsylvania Business & Professional Women-Women in Government Award-2005.

She was elected to the Superior Court in November 1997.

Maureen E. Lally-Green



JUDGE MAUREEN E. LALLY-GREEN was born in Sharpsville, Mercer County. She graduated from Duquesne University with a B.S. in Secondary Education, Mathematics (1971) and its School of Law (1974).

In 1998, her appointment by Governor Tom Ridge to the Superior Court was confirmed by the State Senate and, in 1999, was elected for a term of ten years. Judge Lally-Green has been an associate with a private law firm in Pittsburgh (1974-75), counsel to Commodity Futures Trading Commission (Washington, D.C.) (1975-78) and the former Westinghouse Electric Corporation (1978-83), a consultant to Justices of the Pennsylvania Supreme Court (1985-87; 1988-98), and a Professor of Law at Duquesne University's School of Law (1983-98).

The Judge is, among other things, a member of the: Appellate Court Procedural Rules Committee of the Supreme Court; the Intergovernmental Commission on Race and Gender Fairness of the Supreme Court; Board of Trustees of Auberle House, McKeesport, Pa.; Board of Regents of St. Vincent Seminary, Latrobe, Pa.; Board of Directors of the St. Thomas More Society; Board of Directors of Saint Francis University, Loretto, PA; National and International Associations of Women Judges; Executive Committee of the Pennsylvania Bar Association's Commission on Women in the Profession; Duquesne University/Diocese of Pittsburgh, Ex Corde Ecclesiae Committee; and Western Pennsylvania Partners of the Americas (former President). She has also served as former Chair of the: Supreme Court's Gender Fairness Implementation Committee; PBA's Quality of Work Life Committee; Board of the Allegheny County Bar Association (1992-1999); and Zoning Hearing Board of Cranberry Township (1986-1998). She continues as an adjunct professor of law at Duquesne's Law School and annually teaches in various law-related programs. She is published in various law reviews. In the past, she has served the Supreme Court, Butler County, and the Pittsburgh Diocese in various capacities.

She has been recognized for her achievements: St. Thomas More Award, St. Thomas More Society (2002); Duquesne University Law School Distinguished Alumna Award (2001); Chatham College's Presidents Medal (2000); Who's Who in the World; Who's Who in America; Who's Who in American Law; Who's Who Among American Women; Who's Who in Emerging Leaders; Who's Who in Executives and Professionals; Woman of the Year (Duquesne Women Law Students); and, Fellow in International Development, Kellogg Foundation.

Debra
Todd



JUDGE DEBRA McCLOSKEY TODD was born in Ellwood City, Pennsylvania on October 15, 1957, the daughter of the late Harry and Blanche McCloskey. She is a 1979 Honors graduate of Chatham College and a 1982 Law Review graduate of the University of Pittsburgh School of Law. In 2004, Judge Todd was awarded the LL.M. Degree in the Judicial Process from the University of Virginia School of Law.

From 1982 through 1987, Judge Todd was an in-house litigation attorney for U.S. Steel Corporation. She maintained a trial practice in the City of Pittsburgh from 1987 through 1999 with an emphasis in complex civil litigation. Judge Todd is an elected member of the Academy of Trial Lawyers of Allegheny County and an alumna and former board member of the Leadership Pittsburgh Program. She is a member of the Allegheny, Pennsylvania and American Bar Associations, and is a fellow of the Allegheny County Bar Association Foundation.

Judge Todd has been a lecturer and panelist for continuing legal education programs on trial and appellate practice and procedure. From 1989 through 1999, She served as a Court-Appointed Special Master for the Allegheny County Court of Common Pleas. The Judge presently serves as a board member of the Finnegan Foundation, a foundation established to provide internships in Pennsylvania government to outstanding accredited college and university students. She is a member of the American Judicature Society, the National Association of Women Judges, the International Association of Women Judges, and the Women's Bar Association of Western Pennsylvania.

Judge Todd was elected to the Superior Court in November 1999, and commenced service on the Superior Court in January 2000. Her chambers are in Pittsburgh.

Richard B. Klein



JUDGE RICHARD B. KLEIN was born in Philadelphia, the son of the late Philadelphia Orphans' Court Judge Charles Klein and Rosalie Benson Klein. He received his BA from Amherst College in 1961, graduating Phi Beta Kappa and Magna Cum Laude. He graduated with honors from Harvard Law School in 1964.

Judge Klein served for 28 years as a trial judge in the Court of Common Pleas of Philadelphia County until his election to the Superior Court in 2001. He was the youngest judge in the history of Pennsylvania when he first assumed the bench. Prior to assuming the bench, he was in private practice and served as a Special Assistant Attorney General.

He has been active in numerous education and justice improvement projects. Judge Klein founded and co-chairs the Pennsylvania Bar Association "Plain English" committee. He serves in the House of Delegates of the Pennsylvania Bar and is on its ADR and Appellate Advocacy committees. He is a member of the Pennsylvania Supreme Court's Appellate Court Procedural Rules Committee. He is an active member of the Philadelphia Bar Association's Alternate Dispute Resolution, State Civil, and Appellate Advocacy committees. Judge Klein was founding chair of the Philadelphia Bar's "LUG-PC," the Lawyers User Group for Personal Computing, and is on the Superior Court technology committee. He chaired the Jury Selection Committee of the Philadelphia Common Pleas Court.

Judge Klein is also active in comparative international law. He has served as education leader for legal-study tours to over a dozen countries, most recently, China; Russia; Poland and the Czech Republic; and Chile and Argentina.

Judge Klein is co-author of the West Book, *Trial Communication Skills*, written with Julius Fast, author of the original *Body Language* book. He has written and lectured widely, on topics such as Appellate Advocacy, Legal Writing, Alternative Dispute Resolution, Trial Techniques, Technology, Ethics, etc. He served as an adjunct Lecturer in Law at the James Beasley School of Law of Temple University for fifteen years, teaching Trial Advocacy and Legal Writing.

John T.
Bender



JUDGE BENDER received a Bachelor of Arts degree from the School of Journalism of the Pennsylvania State University. He later attended the Institute for Paralegal Training in Philadelphia and worked as a paralegal at the Pittsburgh law firm of Reed Smith Shaw & McClay. In 1976, he was awarded a J.D. degree from Duquesne University Law School.

Judge Bender served as a law clerk to President Judge Emeritus William F. Cercone while attending law school. He later was employed as a law clerk to former Justice Rolf Larson. Judge Bender also served as an Allegheny County Assistant District Attorney before entering into the private practice of law as a sole practitioner and as a partner in a small law firm. For over 25 years Judge Bender primarily represented individuals in criminal and civil proceedings. In 1997, Judge Bender was elected to the position of District Justice in Magisterial District 05-2-04. He was then elected to a ten-year term on the Superior Court of Pennsylvania in November 2001. In the Summer of 2003 Judge Bender completed the Appellate Judges Seminar at New York University.

He is a member of the Allegheny County, Pennsylvania and American Bar Associations. His chambers are located in Pittsburgh.

Mary Jane Bowes



JUDGE MARY JANE BOWES was born on July 18, 1954, in Pittsburgh, Pennsylvania. She received her Bachelor of Arts degree from Georgetown University in 1976 and, upon graduation, was selected for the James Fulton Internship with Congressman John Heinz. In 1979, she earned her law degree from the University of Pittsburgh School of Law.

Upon graduation from law school, she served as Judicial Law Clerk to Chief Justice Henry X. O'Brien of the Supreme Court of Pennsylvania and to Judges Harry Montgomery and John P. Hester, both of the Superior Court of Pennsylvania. From 1986 to 1998, she was engaged in the private practice of law. In 1994, Judge Bowes founded her own firm, specializing in construction and commercial litigation. While in private practice, Judge Bowes was chosen as arbitrator in numerous matters in both federal and state court arbitration programs as well as in private arbitrations. She was elected to membership in the Academy of Trial Lawyers of Allegheny County in 1996. She joined an environmental remediation company as corporate counsel in 1998.

Judge Bowes is a member of the Allegheny County Bar Association, served on its Professional Ethics Committee for four years, and is currently a member of the Appellate Practice Committee. She is also a member of the Pennsylvania Bar Association and serves on its Appellate Practice Committee. She is a member of the National Association of Women Judges, and co-president of the Women's Bar Association of Western Pennsylvania.

Judge Bowes is a member of the Board of Trustees of the Allegheny County Medical Society Foundation, St. Anthony School Programs, and the Pittsburgh Civic Light Opera, and serves on the Advisory Board of Angel's Place. She is a former Board member of the Allegheny County Finance and Development Commission, which comprised four separate municipal authorities. Judge Bowes has served on the Board of Trustees of St. Clair Memorial Hospital, Duquesne University, and DePaul Institute for hearing-impaired children, and is past president of the Board of Directors of the Parental Stress Center for neglected and abused children, the St. Thomas More Society, and the Georgetown University Alumni Club of Pittsburgh. In 1997, she was honored by Governor Tom Ridge with Pennsylvania's Best 50 Women in Business Award.

Judge Bowes was elected to a ten-year term on the Superior Court of Pennsylvania in November, 2001.

Susan Peikes Gantman



JUDGE SUSAN PEIKES GANTMAN is a cum laude graduate of the University of Pennsylvania, where she received her Bachelor of Arts and Masters of Arts degrees in 1974. Judge Gantman graduated from the Villanova School of Law in 1977. Following graduation from law school, Judge Gantman served as law clerk to the Honorable Richard S. Lowe, of the Montgomery County Court of Common Pleas. Judge Gantman has also served as Solicitor for the Montgomery County Office of Children and Youth and the Montgomery County Housing and Community Development. Her career includes additional public service as an Assistant District Attorney for Montgomery County, where she worked in the major crimes unit.

In 1981, Judge Gantman entered private practice. Her extensive legal experience includes litigation, domestic law, juvenile law, Orphans' Court actions and appellate practice. In 1991, Judge Gantman joined the law firm of Sherr, Joffe & Zuckerman, P.C. as Partner and Chair of the Domestic Relations Section. In 1998, she became a senior member and served as Co-chair of the Family Law Section of the law firm of Cozen O'Connor.

Throughout her career, Judge Gantman has been a tireless advocate on behalf of children and other victims of abuse. During her years in practice, Judge Gantman appeared as a frequent lecturer and instructor, conducting numerous classes and seminars for the Pennsylvania State Police Academy, the Pennsylvania Bar Institute, the Montgomery County Bar Association, and the Department of Public Welfare. Judge Gantman is currently a frequent lecturer on issues of Appellate Practice and Procedure for the Pennsylvania Bar Association, Montgomery Bar Association and the Lawyers' Club of Philadelphia. She has also served on the Board of Directors for Women's Philanthropy, the Federation of Allied Jewish Appeal, and Women of Vision. Judge Gantman has been recognized by the Montgomery County Office of Children and Youth for her achievements and outstanding service. She is a current member of the National Association of Women Judges. Other honors include the Bond of Faith and the Juvenile Advisory Association Award.

Judge Gantman is a member of the American Bar Association, Pennsylvania Bar Association and Montgomery County Bar Association. She is also a member of the Pennsylvania Bar's Commission on Women in the Profession, the Appellate Practice Committee, the National Association of Women Judges, and the Montgomery County Bar Foundation Taxis Circle. She is a Fellow of the Pennsylvania Bar Foundation and a Master of the Villanova University School of Law Inns of Court.

Judge Gantman's election to a ten-year term on the Superior Court was confirmed in January 2004. Her Chambers are located in Montgomery County.

Seamus P. McCaffery



JUDGE SEAMUS P. MCCAFFERY was born in Belfast, Northern Ireland, on June 3, 1950, the second of seven children born to Seamus and Rita McCaffery.

As an immigrant, Seamus' life became the fulfillment of the American dream. When he graduated from Cardinal Dougherty High School in 1968, he joined the United States Marine Corps as a private. After completion of his active duty service, he continued to serve his country in the Marine Corps Reserve, rising to the rank of Captain. In 1985, Seamus transferred into the United States Air Force Reserve, where he took over as the commanding Officer of the 913th Security Police Squadron. He continued to serve in the Air Force Reserve, rising to the rank of Colonel. During his assignment to Air Combat Command Headquarters at Langley Air Force Base, Virginia, he was mobilized in support of Operation Noble Eagle after the World Trade Center/Pentagon attack. In his current assignment, he serves as the Emergency Preparedness Liaison Officer for Homeland Defense to the Commonwealth of Pennsylvania.

In 1970, Seamus joined the Philadelphia Police Department, where he distinguished himself during his 20 years of service, and retired as a highly-decorated veteran. He served as a patrolman, a plainclothes Vice/Narcotics investigator, and as a detective, working in the Homicide and Major Crimes Divisions. He worked on several high-profile murder investigations, and rose to the rank of supervisor before retiring in 1989. While working fulltime as a police officer, Seamus pursued his education, earning a Bachelor's degree from La Salle University, and then his Juris Doctor degree from Temple University School of Law. Seamus became a member of the Pennsylvania, New Jersey, and Washington, D.C. bars, and worked as a litigation associate at one of the city's premier law firms. He went on to become the first retired Philadelphia Police officer ever elected as a trial judge in Philadelphia County. Since then, he has won recognition, both locally and nationally, appearing on ESPN, Dateline, Inside Edition, MSNBC, Good Morning America and on every major radio talk show, as well as received widespread coverage in newspapers across the country for his innovative Nuisance Night Court program, and for the creation of the National Football League's first and only Court, conducted during each Philadelphia Eagles football home games. Philadelphia's largest newspaper has labeled Seamus "Philadelphia's Quality of Life Judge". And, in October 2001, the Pennsylvania Supreme Court appointed him the Administrative Judge of the 4th largest court in America, the Philadelphia Municipal Court. He has already made his mark there by implementing numerous excellent and creative new programs. He was elected to the Superior Court of Pennsylvania in November 2003, where he hears cases throughout the Commonwealth. His achievements have made his three sons, Sean, Jim, and Brian, and his wife, Lise Rapaport, Esquire, very proud.

Jack A. Panella



JUDGE JACK A. PANELLA received a B.S. degree in Accounting, with honors, from St. John's University in 1977, and a Juris Doctor degree, with honors, from Columbus School of Law, Catholic University of America, in 1980.

Judge Panella was engaged in the private practice of law and also served as Northampton County Solicitor. He currently teaches at DeSales University. His book, *The Benchbook on Crimes of Sexual Violence in Pennsylvania*, will be published in 2006.

In 1991 he was appointed to the Court of Common Pleas of Northampton County and elected to full terms in 1993 and 2003. He received the President's Award from the Pennsylvania Conference of State Trial Judges in 2002, and served as Chair of the Commonwealth Partners Program. Judge Panella also served on the Judicial Ethics Committee.

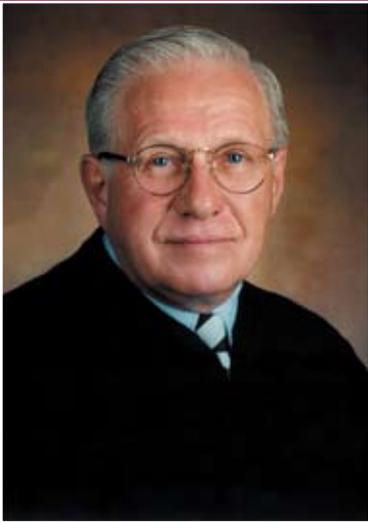
In 1997 he was appointed by the Supreme Court of Pennsylvania to be a judge of the Pennsylvania Court of Judicial Discipline. In June 2000, he was elected President Judge. In 2005, he was appointed by the Supreme Court to the Judicial Conduct Board.

In 2004, Judge Panella was appointed by the Supreme Court to serve on the Commission for Justice Initiatives in Pennsylvania. He currently chairs the Public Education and Community Outreach Committee.

Judge Panella was elected to the Superior Court in November, 2003, and commenced service on the Superior Court in January, 2004. His Chambers are in Bethlehem.

Senior Judge

Peter Paul Olszewski



JUDGE PETER PAUL OLSZEWSKI of Wilkes-Barre, Pennsylvania, graduated from Wyoming Seminary, Lafayette College, and St. John's University School of Law; New York University, Institute of Judicial Administration; National College of Juvenile and Family Law, University of Nevada; and Medical Dept. Professional Service School, US Army Medical Center, Walter Reed, Washington, D.C. He served as a Faculty Advisor at the National Judicial College, University of Nevada. Vice President (1983-84) PA Conference of State Trial Judges. He is a member of Pi Delta Epsilon (honorary collegiate journalism fraternity). Instructor, King's College, Wilkes-Barre, "Constitutional Limitations on Evidence in Criminal Cases" – 1969-70. During World War II, Judge Olszewski served with the United States Army in the China-Burma-India Theatre of Operations. Decorations: Asiatic Pacific, American Theatre, Republic of China, Good Conduct.

Judge Peter Paul Olszewski was a trial lawyer for fifteen years. As attorney for the City of Wilkes-Barre, he organized the Redevelopment Authority and the Parking Authority. Authored legal opinion approving and establishing Luzerne Community College.

Elected to the Court of Common Pleas of Luzerne County, he served as a trial judge for sixteen years. In 1983, Judge Olszewski was elected to the Superior Court of Pennsylvania, where he continues to serve since that time.

Judge Olszewski has served on the boards of trustees of College Misericordia and the Wilkes-Barre Campus of the Pennsylvania State University. He is an honorary Director of St. John's University Law School Alumni Association. He has received the Liberty Under Law Award, Fraternal Order of Eagles, the Distinguished Law and Justice Award of the Deputy Sheriffs' Association of Pennsylvania and the Distinguished Law and Justice Award of County and State Detectives Association of Pennsylvania. In addition, Judge Olszewski served on the Interfaith Council of Wyoming Valley. He is also active in the American Bar Association Appellate Judges Conference, the Pennsylvania Bar Association, Philadelphia Bar Association, Wilkes-Barre Law and Library Association, and is a Fellow of the American Bar Foundation. He is also an Honorary Lifetime Member, Frank Albert State Police Lodge.

Frank J.
Montemuro, Jr.



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

Justice Montemuro is currently in his 41st year on the bench. He was appointed to the trial bench in 1964 and successfully ran for a ten-year term in 1965. In 1968 he was elected the Administrative Judge of Philadelphia twenty-judge Family Court Division and re-elected for additional five-year terms in 1973 and again in 1978. He was appointed to the Superior Court in 1980 and was elected to a full ten-year term as the nominee of both parties in 1983.

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

Justice Montemuro served as both State and National President of the Order Sons of Italy in America. He was thrice decorated by the President of the Republic of Italy and in 1982 he was awarded the Papal Honor of Knight Commander of the Order of St. Gregory the Great by Pope John Paul II.

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

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

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

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

On July 26, 1996, Justice Montemuro was appointed by the Supreme Court of Pennsylvania as Special Master in Pennsylvania State Association of County Commissioners, et al. v. Commonwealth of Pennsylvania, et al., 681 A. 2d 699 (Pa. 1996).

On June 7, 2001, Justice Montemuro was appointed by the Supreme Court of Pennsylvania to serve as Chairman of the 2001 Legislative Reappointment Commission.

Senior Judge

Phyllis W. Beck



Since 1981 JUDGE PHYLLIS W. BECK has been a member of the Superior Court. Initially appointed by Governor Thornburgh in 1981, she was elected statewide to a ten-year term in November 1983 and retained in 1993. She is the first woman to serve on the Court.

In July 1987 Judge Beck was appointed by Governor Casey to head a special 23 person Commission on Judicial Reform. The Commission, which presented its report to the Governor in January 1988, recommended major structural reform in Pennsylvania's judicial system.

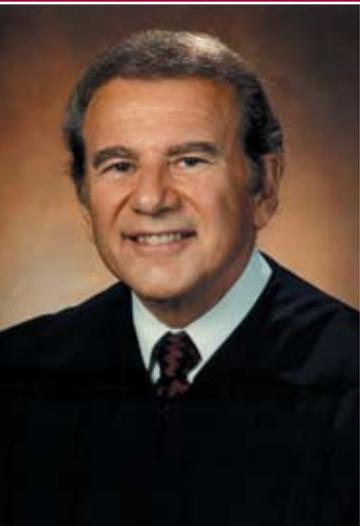
Judge Beck assumed the judgeship after serving as Vice-Dean of the University of Pennsylvania Law School where she also taught. Prior to that time she was a faculty member at Temple Law Center. Her route to the bench included a bachelor's degree from Brown University, Magna Cum Laude, and a law degree in 1967 from Temple Law School, night division, where she was first in her class.

Prior to her academic career, Judge Beck engaged in the general practice of law. She is the author of many scholarly articles. She is a member of the American Law Institute, American Judicature Society, National Association of Women Judges, and an overseer at the University of Pennsylvania School of Nursing. She is Vice President of the Philadelphia Free Library, President of the Foundation for Cognitive Therapy and Chair of the Independence Foundation. She is a board member of Villanova Law School and Temple Law School, The Mann Center for the Performing Arts, and the Museum of American Jewish History. She serves on the Pennsylvania Commission on Women in the Profession and the Joint State Government Commission on Domestic Relations. She was a representative of the United States State Department in Argentina addressing Civic Participation in Judicial Reform. She is a Distinguished Daughter of Pennsylvania.

She is married to Dr. Aaron T. Beck. They have four children and eight grandchildren.



Patrick R.
Tamilia



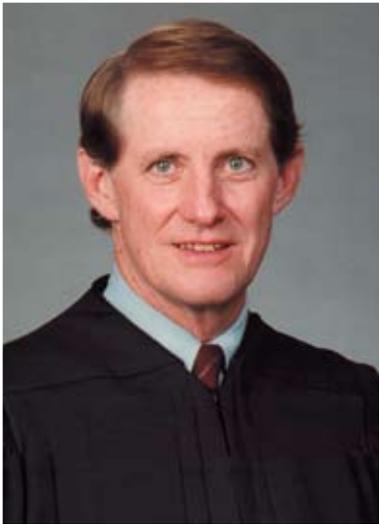
JUDGE PATRICK R. TAMILIA was born in Pittsburgh. He attended Duquesne University, where he received his B.S., did graduate work, and received his J.D. from the School of Law. Judge Tamilia served with the U.S. Marine Corps, and received a World War II discharge. While at Duquesne University, he received a commission as an officer in the U.S. Army Artillery through R.O.T.C. During the Korean War he served at various Army posts as an artillery officer in the Reserves.

Judge Tamilia has served as Chairman of the Family Law Sections of the Pennsylvania and Allegheny County Bar Associations and the Juvenile Judges section of the Pennsylvania Conference of State Trial Judges; and member of the Supreme Court Domestic Relations Committee. He was instrumental in the creation of the Neuropsychiatric Assessment Unit for Violent Children, the Parental Stress Center, and Infant Abuse Agency; Booth Parenting Program for unwed mothers and numerous other treatment programs for delinquent and dependent children. He has authored numerous articles on juvenile delinquency, mental health and family court. In 2000, Judge Tamilia authored *Keystone of Justice, The Pennsylvania Superior Court*, published by the Pennsylvania Historical and Museum Commission.

Judge Tamilia served for 30 years as adjunct Professor of Family Law at Duquesne University School of Law. Among his numerous awards are the Duquesne University Distinguished Alumnus Award, College of Arts and Science; Charter Membership in the Century Club of Distinguished Alumni of Duquesne University; the Columbus 500 Distinguished Citizen Award; and the ACBA Juvenile Justice Award, 1991. He was chairman of the Public Safety and Criminal Justice Task Force of the Allegheny County 2001 Project. He holds the position of Honorary National President of the Italian Sons and Daughters of America. Judge Tamilia was a member of the Pennsylvania Supreme Court Juvenile Court Procedural Rules Committee and participated in creating the Juvenile Court rules adopted in 2005.

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

John T. J.
Kelly, Jr.



JUDGE JOHN T. J. KELLY, JR. is a graduate of LaSalle University (B.S., 1956) and Creighton Law School (LL.B., 1961); he is admitted to practice in Pennsylvania and Nebraska.

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

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

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

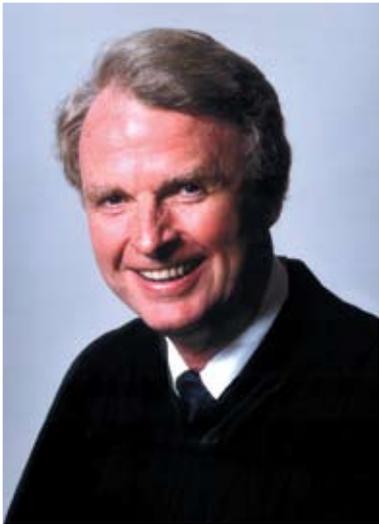
Senior Judge

Zoran Popovich



JUDGE ZORAN POPOVICH was born on February 4, 1931, in Akron, Ohio. He received his Bachelor of Arts from the University of Pittsburgh in 1954 and his LL.B. from the University of Pittsburgh Law School in 1957. He was on active duty with the United States Air Force from 1951-53. Judge Popovich was elected to the Court of Common Pleas of Allegheny County in 1973. In 1980, he was appointed to the Superior Court, and he was elected to a full ten-year term in 1985.

Stephen J. McEwen, Jr.



JUDGE McEWEN commenced service on the Pennsylvania Superior Court in 1981, and was President Judge from 1996-2001. In 1996 he was appointed by Governor Tom Ridge to the Court of Judicial Discipline, and was elected President Judge of that Court.

Chief Justice Ralph J. Cappy appointed him in October 2005 to serve as co-chair, with Chief Justice Emeritus John P. Flaherty, of the Pennsylvania Judicial Independence Commission.

Judge McEwen pursued his study of the law at St. Joseph's College and the University of Pennsylvania Law School, was in 1986 awarded the degree of Master of Laws by the University of Virginia Law School, and has received Honorary Doctorates from DeSales University, Widener University Law School, and the University of Scranton.

Judge McEwen, a trial lawyer for 23 years, was the elected District Attorney of Delaware County from 1967-1976, and thereafter served as General Counsel for the Pennsylvania District Attorneys Association. He was a Professor of Trial Advocacy at Villanova University Law School for 10 years, and recently served as Editor of the "Appellate Judges News" section of the ABA Judicial Division Record and on the Editorial Board of the ABA Judges Journal.

Judge McEwen is a Past President of the Council of Chief Judges of State Courts of Appeal, is on the Board of Advisors of the ABA United Nations Development Project, and is a member of the American Law Institute. During the summers of 2000-2002, he was a USAID lecturer in Bulgaria, and in July 2004 was appointed by the Republic of Bulgaria to serve as Honorary Consul.

Justin M. Johnson



JUDGE JUSTIN MORRIS JOHNSON was appointed to the Superior Court in 1980 and elected to a ten-year term in 1985. He was retained for another term in 1995. His chambers are in Pittsburgh.

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

In March, 1989, Judge Johnson completed twenty years service on the Pennsylvania Board of Law Examiners, the last six as its chairman. He served on the Board of Managers of the National Conference of Bar Examiners from 1984 to 1989. From 1977 until his appointment to the bench, he was a member of the Pennsylvania Crime Commission. Judge Johnson sat upon the Permanent Judicial Commission of the General Assembly, Presbyterian Church (U.S.A.) from 1981 to 1989. He completed a six-year term on the Advisory Committee on the Constitution of that national, churchwide body in June, 1996. In August, 1993, Judge Johnson was appointed to a two-year term on the newly-established Court of Judicial Discipline by then Acting Governor Mark S. Singel.

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

Administrative Recognition



Philadelphia-based 20 year employees: (Left to right) Jane O'Neill, Charles Thrall, Michele Usilton, Phyllis Holliman, Dotti O'Donnell, Bud Patton, Pat Franklin, Len Blazick, Gina Paone Weiser, Rene Middleton, Andrea McGoldrick, Bob Morrissey, Melinda Trafford

Administrative Recognition



Philadelphia based 25 year employees:
(Left to right) Charles Thrall, Dotti O'Donnell, Bob Morrissey



Pittsburgh based 30 year employees: (Left to right) Ellie Valecko,
Kathy Bann

Administrative Recognition



Pittsburgh based 20 year employees: (Back row, left to right) Bob Levine, Dawn Terak, Kathy Bann, Kim Wright, Ernie Gennaccaro, Barbara Caprino, Pat Carey, Barbetta Hughes, Sean Cannon, Nick Corsetti, Paulette Balogh, Ellie Valecko, Rita Tyszkiewicz-Henry, Loretta Candelore (Front row, left to right) Tammy Belloma, Barbara Lelenko, Dolores Bianco



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

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

The Superior Court was originally composed of seven judges who gathered in Harrisburg, Philadelphia, Pittsburgh as well as Scranton and Williamsport. The Supreme Court, in 1978, citing the "exceedingly heavy volume of appeals coming to the Superior Court," exercised its constitutional supervisory powers over Pennsylvania courts to order the Superior Court to begin sitting in panels of three judges composed of a Supreme Court justice, a Superior Court judge, and a Common Pleas judge. By rule, the Supreme Court provided that each panel would constitute a quorum and speak for the entire Superior Court.

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

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

PRESIDENT JUDGES

Charles E. Rice	1895-1915	Chester H. Rhodes	1947-1965	Edmund B. Spaeth, Jr.	1983-1986
George B. Orlady	1915-1925	Harold L. Irvin	1965-1967	Vincent A. Cirillo	1986-1991
William D. Porter	1925-1930	J. Colvin Wright	1968-1974	James E. Rowley	1991-1996
Frank M. Trexler	1930-1935	G. Harold Watkins	1974-1978	Stephen J. McEwen, Jr.	1996-2001
William H. Keller	1935-1945	Robert Lee Jacobs	1978-1979	Joseph A. Del Sole	2001-
Thomas J. Baldrige	1945-1947	William F. Cercone	1979-1983		

JUDGES OF THE COURT

Charles E. Rice	1895	James B. Drew	1931	Israel Packer	1971	Thomas G. Saylor	1994
James A. Beaver	1895	Joseph Stadtfeld	1931	Edmund B. Spaeth, Jr.	1973	D. Donald Jamieson	1995
Howard J. Reeder	1895	William M. Parker	1932	Gwilym A. Price, Jr.	1974	J. Michael Eakin	1996
George B. Orlady	1895	Arthur H. James	1933	Robert Van der Voort	1974	Berle M. Schiller	1996
John J. Wickham	1895	Chester H. Rhodes	1935	Donald E. Wieand	1978	Michael T. Joyce	1998*
Edward N. Willard	1895	William E. Hirt	1939	John P. Hester	1978	Correale F. Stevens	1998*
Henry J. McCarthy	1895	Charles E. Kenworthy	1941	James R. Cavanaugh	1979	John L. Musmanno	1998*
Peter P. Smith	1896	Claude T. Reno	1942	John G. Brosky	1980	Joan Orié Melvin	1998*
William W. Porter	1897	F. Clair Ross	1945	Richard B. Wickersham	1980	Maureen E. Lally-Green	1998*
William D. Porter	1898	W. Heber Dithrich	1945	Richard DiSalle	1980	Debra McCloskey Todd	2000*
Dimner Beeber	1899	John C. Arnold	1945	Justin M. Johnson	1980**	Richard B. Klein	2002*
John I. Mitchell	1900	John S. Fine	1947	Frank J. Montemuro, Jr.	1980**	John T. Bender	2002*
Thomas A. Morrison	1902	Blair F. Gunther	1950	Zoran Popovich	1980**	Mary Jane Bowes	2002*
John J. Henderson	1903	J. Colvin Wright	1953	Perry J. Shertz	1980	Robert A. Graci	2002
John B. Head	1906	Robert E. Woodside	1953	Phyllis W. Beck	1981**	Susan Peikes Gantman	2004*
John W. Kephart	1914	Harold L. Ervin	1954	Stephen J. McEwen, Jr.	1981**	Seamus P. McCaffery	2004*
Frank M. Trexler	1914	Phillip O. Carr	1956	Vincent A. Cirillo	1982	Jack A. Panella	2004*
J. Henry Williams	1916	G. Harold Watkins	1957	James E. Rowley	1982		
William H. Keller	1919	Harry M. Montgomery	1960	Peter Paul Olszewski	1984**		
William B. Linn	1919	Gerald F. Flood	1961	Joseph A. Del Sole	1984*		
Robert S. Gawthrop	1922	Robert Lee Jacobs	1965	Patrick R. Tamilia	1984**		
Jesse E.B. Cunningham	1926	J. Sydney Hoffman	1965	John T.J. Kelly, Jr.	1986**		
Thomas J. Baldrige	1929	Theodore O. Spaulding	1966	James R. Melinson	1988		
J. Frank Graff	1930	John B. Hannum	1968	Joseph A. Hudock	1990*		
John G. Whitmore	1930	William F. Cercone	1969	Kate Ford Elliott	1990*		

*Currently serving

**Currently serving as Senior Judge

Offices

OFFICE OF THE EXECUTIVE ADMINISTRATOR

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

The Executive Administrator is responsible for all of the fiscal operations of the Court. This includes preparing the Court's annual budget and monitoring the Court's expenditures of its appropriations, functions overseen by the Budget/Fiscal Coordinator. The Executive Administrator also supervises the daily processing of invoices for goods and services applied to the Court, and the procurement of supplies. Business responsibilities also extend to other operations within the Court such as the administration of the 238 individuals who serve the Court, and include maintenance of all personnel records, preparation of all personnel transaction forms, and resolution of questions and problems relating to personnel. In addition, the Executive Administrator is responsible for the administration of telecommunications within the Superior Court, including all staff and judicial offices, and the management of the facilities used by the Court.

OFFICE OF THE PROTHONOTARY

As the filing office of the Court, the Prothonotary's Office is responsible for: docketing appeals, petitions and ancillary papers; collecting appropriate fees; docketing, maintaining and circulating original records; corresponding with judges, litigants and attorneys; processing and distributing court orders, opinions and judgments; and scheduling argument and submit panel sessions as well as hearings on emergency petitions. The office also functions as a liaison between the Court and the public by providing status information concerning pending matters and answering inquiries.

This office is also responsible for the efficient management of the Court's case flow which directly impacts appeals. Monitoring the filing of records and curing any deficiencies therein are primary components of case flow management.

The Crier of the Court, as a member of the staff of the Prothonotary, is responsible for: indexing, maintaining, and distributing all briefs filed with the Court; preparing the courtrooms; collecting and distributing materials for each court session; and providing assistance to the judges as well as the public during argument sessions.

The Prothonotary's Office has a staff of 44 individuals and its three offices in Philadelphia, Harrisburg, Pittsburgh are centrally located.



CENTRAL LEGAL STAFF

The Central Legal Staff is composed of 22 attorneys who assist the Court in procedural and substantive matters under the direction of the President Judge. The Staff has offices in Philadelphia, Pittsburgh and Harrisburg under the immediate supervision of the Chief Staff Attorney. Staff responsibilities include screening all appeals for jurisdictional defects prior to listing before the Court; reviewing and screening cases for the Court's special treatment programs; assisting the Court in the processing of miscellaneous motions, applications for relief, and petitions for reargument; preparing bench memoranda on selected cases listed before the Court; reviewing panel decisions to assist the Court in avoiding the issuance of conflicting opinions; maintaining a computerized issue-tracking index of the Court's opinions for both conflict clearance and legal research purposes; preparing position papers and memoranda of law on various substantive and procedural issues before the Court, and, conducting seminars for new law clerks.

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

OFFICE OF LEGAL SYSTEMS

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

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

The Legal Systems Coordinator and other members of the Legal Systems staff work with staff from the Administrative Office of Pennsylvania Courts and the other appellate courts on shared projects including the high speed data network that links all of the offices of the three courts and AOPC with each other and the Internet (PACNET), the appellate case management system (PACMS) and the shared electronic mail system.

The Legal Systems Coordinator serves as the Superior Court's representative on the Architectural Standards Committee that has been charged by the Supreme Court with making decisions affecting the Microsoft Active Directory network that is also shared by the three courts and AOPC.

The Legal Systems Coordinator is also responsible for using the Court's computer resources to generate and analyze caseflow statistics and to prepare statistical reports as requested for use by the Court and for submission to the Administrative Office of Pennsylvania Courts.



OFFICE OF THE REPORTER

From the time a judge receives a case assignment until the decision is filed, the Reporter is responsible for the maintenance of all records pertaining to the judges' assignments. The Reporter's office uses computer-housed records to prepare statistical information for the Court. The Reporter also monitors late votes, file letters, en banc cases and cases 60 days or older.

The Reporter is the liaison with Thomson West, the official publisher of the Court's opinions. The Reporter provides Thomson West with filed opinions, a memorandum decisions table, whose text is not published, and a table identifying those cases in which a petition for reargument is pending.

Correction letters are sent to Thomson West before final publication in the event an error is discovered or at the request of a judge. The Reporter forwards to Thomson West transcripts of special ceremonial sessions of the Court for publication.

The Reporter adds the universal citation to the opinions before they are sent for filing. These filed opinions are electronically transmitted daily to the Superior Court Home Page, Lexis, West Law, the Administrative Office of the Pennsylvania Courts' Home Page and The Legal Intelligencer. Revisions, withdrawal of opinions and rearguments pending on opinions are updated and sent to the publishing research companies when the mentioned situations occur.

In addition to providing information from the Court to the legal publishing/research companies, the Reporter also provides the Court with information from the publishers identifying the citations where the Court's recently published decisions can be found.

Judge's Chambers



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President Judge Emeritus

William F. Cercone

1913-2005

F
IN MEMORIAM...



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

Judge Cercone served as Assistant District Attorney of Allegheny County, Special Deputy Attorney General of Pennsylvania, Special Assistant to the U.S. Attorney General, and attorney for the U.S. Army Engineers in Pennsylvania and Ohio. He is past president of the Pennsylvania Judicial Board of Inquiry and Review. During his term as Assistant District Attorney he was chosen to be the prosecutor in the case Commonwealth v. Nelson. Steve Nelson was the number one Communist in the U.S. operating in behalf of the Soviet Union. He was responsible for stealing some atom bomb secrets and turning them over to the Soviet Union. The case lasted two months, at the end of which he was found guilty on all counts. He appealed his case all the way up to the Supreme Court, but was killed in an automobile accident before scheduled arguments, thus ending that particular period of danger to the U.S..

Judge Cercone served on the Court of Common Pleas of Allegheny County from 1956-68. He was elected to the Superior Court in 1968 and became President Judge on January 2, 1979, whereupon he arranged for the American Judicature Society study of the work of the Superior Court. Upon completion of study, the report stated, "The Pennsylvania Superior Court has for some years been one of the most overworked appellate courts in America in terms of caseload and number of written opinions per judges per year...it is evident that the judges of the court have had as much work to do, and have evidently done as much work as human beings reasonably could be expected to do." As a result of Judge Cercone's effort, the people of Pennsylvania approved, by referendum and the legislature by law, an increase in the court of eight additional members.

He was honored by the Academy of Trial Lawyers of Western Pennsylvania "for achieving undelayed justice through sympathetic understanding, distinguished ability and tireless dedication to the eternal principles of right."



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