



Erie County Court of Common Pleas 2015-2016 Biennial Report



TABLE OF CONTENTS

Judges of Erie County -----	1
President Judges of Erie County -----	3
Biographies -----	4
History of the Courts -----	10
Magisterial District Judges -----	11
Court Administration -----	12
District Court Administrator -----	12
Deputy Court Administrators -----	13
Computer Bureau -----	13
Custody Conciliation -----	14
Protection From Abuse Office -----	14
Jury Management -----	15
Law Library -----	15
Orphan's Court Support -----	15
Juvenile Probation -----	16
Adult Probation -----	17
Domestic Relations -----	18
Appendices -----	19
History of Criminal Filings -----	20
Criminal Statistics -----	20
Age of Pending Cases -----	21
Most Common Offenses -----	21
Magisterial District Judges -----	22
Custody Conciliation -----	23
Protection From Abuse -----	24
Jury -----	25
Juvenile Probation -----	26
Juvenile Dependency -----	27
Adult Probation -----	28
Domestic Relations -----	29

Adoptions-----	31
Civil Court Activity -----	33
Divorce-----	34

The Erie County Court of Common Pleas
SIXTH JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA
1874-2016



John P. Vincent
1874-1876

Samuel J. Roberts
1952-1962

William A. Galbraith
1877-1887

Samuel Y. Rossiter
1953-1966

Frank Gunnison
1886-1897

Herbert J. Johnson
1963-1964

Emory A. Walling
1897-1916

James B. Dwyer
1964-1985

Paul A. Benson
1911-1915

Edward H. Carney
1966-1981

Uriah P. Rossiter
1915-1934

Thomas W. Barber
1966-1970

Edward L. Whittelsey
1916-1920

Lindley R. McClelland
1967-1981

William E. Hirt
1920-1939

William E. Pfadt
1970-1971; 1974-1989

Henry A. Clark
1921-1931

George Levin
1972-1973; 1986-1995

J. Orin Waite
1932-1952

Fred P. Anthony
1972-2005

Miles B. Kitts
1936-1944

Richard L. Nygaard
1981-1988

Elmer L. Evans
1939-1967

Jessamine S. Jiuliente
1981-1995

Burton R. Laub
1946-1966

Roger M. Fischer
1983-1998

Shad A. Connelly
1986-2015

Michael T. Joyce
1986-1997

John Falcone
1989-1990

John A. Bozza
1989-2010

Stephanie Domitrovich
1990-Present

William R. Cunningham
1996-Present

Ernest J. DiSantis, Jr.
1996-2015

Michael Palmisano
1998-1999

Michael E. Dunlavey
2000-2012

Elizabeth K. Kelly
2000-Present

John J. Trucilla
2002-Present

John Garhart
2006-Present

Daniel J. Brabender, Jr.
2010-Present

Robert A. Sambrook, Jr.
2013-2017

John J. Mead
2016-Present

Joseph M. Walsh, III
2016-Present

Erie County

Court of Common Pleas

President Judges

Honorable John P. Vincent	1874 - 1876
Honorable William A. Galbraith	1877 – 1886
Honorable Frank Gunnison	1886 – 1897
Honorable Emory A. Walling	1897 – 1916
Honorable Uriah P. Rossiter	1916 – 1935
Honorable William E. Hirt	1935 – 1939
Honorable Miles B. Kitts	1939 – 1944
Honorable Elmer L. Evans	1944 – 1967
Honorable Edward H. Carney	1967 – 1981
Honorable James B. Dwyer	1981 - 1985
Honorable William E. Pfadt	1985 – 1989
Honorable Jessamine S. Jiuliente	1989 – 1994
Honorable John A. Bozza	1994 – 1999
Honorable Michael M. Palmisano	1999 – 2000
Honorable William R. Cunningham	2000 – 2005
Honorable Elizabeth K. Kelly	2005 – 2009
Honorable Ernest J. DiSantis, Jr.	2010 – 2015
Honorable Shad Connelly	2015 – 2015
Honorable John J. Trucilla	2016 – Present

HONORABLE JOHN J. TRUCILLA
(President Judge)



Erie County Court of Common Pleas, 6th Judicial District; Elected November 6, 2001; Seated January 2, 2002; President Judge (January 2016 to Present) Administrative Judge-Family Division (January 2006 to December 2015); Born October 3, 1960 in Erie, Pennsylvania; Educated at the University of Dayton (B.A. Political Science) 1982; University of Dayton School of Law (J.D.) 1985; Admitted to all Pennsylvania Courts and the United States Supreme Court, United States Court of Appeals for the Third Circuit, and the United States District Court for the Western District of Pennsylvania; judicial law clerk to the Honorable Shad Connelly, January 1986-January 1988; Assistant District Attorney, Erie County, Pennsylvania, January 1988-April 1990; United States Department of Justice, Assistant United States Attorney for the Western District of Pennsylvania, April 1990-January 2001 (Chief of the Erie Division, 1994-2001); Knox, McLaughlin, Gornall & Sennett, January 2001-June 2001; Assistant District Attorney, Erie County, Pennsylvania, Juvenile Prosecutor, June 2001-December 2001; Adjunct Professor of Law, Penn State University-The Behrend College, Erie, Pennsylvania (Criminal Law & Procedure, Constitutional Law) 1989-1996 and 2010-Present; Gannon University (Criminal Law & Procedure) January 2002- January 2004, 2014-Present; Instructor, PA State Police Academy, Northwest Training Center, 1997-2001 (Presenter of local, state and federal seminars regarding miscellaneous topics involving criminal law); Member-Citizen Office of Children and Youth Oversight Committee-2006; Member-By-Laws Revision Committee of the PA Conference of State Trial Judges-2006; Member-Association of Trial Lawyers of America; Member-American Judges Association; Member-Juvenile Court Judges' Commission; Coordinator-Committee for PA's Roundtable for Children Initiative(2007); Member-Erie County Criminal Justice Coalition; Member-Erie Truancy Task Force, 2007-Present; Chosen as Youth Leadership Institute 2011 Person of the Year; Co-Founder of Erie County's Parent Coordinator Committee; Selected as 2012 Honorary Chairperson of Global Youth Service Day for Erie County, April 21, 2012. Founder-"Juveniles on the Run for Success"; Member of "Flipside" initiative to deter youth gun violence, May 2015 – Present; Introduced and implemented "Courthouse Comfort Canines" to Erie County Court of Common Pleas, October 2015 – Present; Implemented Judicial Reinvestment Strategy (\$50,000 seed money to Erie Community Foundation), May 2016 - Present; Married to Suzanne M. Uht; six (6) children: John, Luke, Marielle & triplets-Grace, Anne & James.

HONORABLE STEPHANIE DOMITROVICH



Born in 1954, in Rochester, PA; Carlow Univ. (B.A.), 1976, summa cum laude; Duquesne Univ. School of Law (J.D.), 1979; Ph.D. (Doctor of Philosophy in Judicial Studies) in 2006 from the University of Nevada at Reno (U.N.R) and the Nat'l Judicial College (N.J.C); M.J.S. (Master of Judicial Studies in Trial Judge major) in 1993 from U.N.R and N.J.C ; M.J.S. with Juvenile and Family Court Judges major in 1998 from U.N.R and Nat'l Council of Juv. and Fam. Court Judges (N.C.J.F.C.J.); Am., PA. and Erie Co. Bar Assns.; National Conference of State Trial Judges, Past Chair; PA Conf. of State Trial Judges, Past President; Nat'l. Assoc. of Women Judges; Am. Judges Assn.; Northwest PA.

American Inn of Courts, President 1999-2001; Phi Alpha Delta Law Frat.; faculty member, N.J.C., 1993-present, and N.C.J.F.C.J.; instructor, Gannon University, pre-law and paralegals; Asst. Co. Solicitor, 1983-89; elected judge, Court of Common Pleas, Nov. 1989, retained Nov. 1999 and retained Nov. 2009, now serving in Trial Court Division; married; children.

HONORABLE WILLIAM R. CUNNINGHAM



Born in 1956 one of twin sons of Ronald and Marilyn Cunningham. Graduate of Allegheny College (B.A.) and University of Pittsburgh Law School (J.D.). Admitted to all PA and federal courts. Private practice, 1981 to 1987. Served as District Attorney of Erie County from 1988 - 1995; Member of the Court of Common Pleas since January 1996. Served as President Judge 2000 to 2005. Retained as a Common Please Judge in 2005 and 2015. Adjunct instructor, Constitutional Law, Mercyhurst College. Instructor, Pennsylvania District Attorney Association. Instructor, Pennsylvania Constable Training Commission. Past President of Northwest Pennsylvania Inn of Court. Past President of the Pennsylvania Association of Drug Court Professionals. Member of the Statewide Task Force on Veterans and the Criminal Justice System. Member of the HR12 Mandatory Sentences Study Advisory Committee.

Veterans and the Criminal Justice System. Member of the HR12 Mandatory Sentences Study Advisory Committee.

HONORABLE ELIZABETH K. KELLY



Born Sep. 2, 1958, in Erie, PA, daughter of the late William and Joan Kelly; graduate of Georgetown Univ. (B.A., Cum Laude), 1980 and Univ. of Akron School of Law (J.D.), 1983 - Editorial Board, Akron Law Review, Chmn. Student Honor Code, Vice President/Student Bar Association. Admitted to all Courts of the Cmwth. of PA and State of OH, US District Courts for Western Dist. Of PA, US Dist. Court for Northern Dist. of OH, PA Bar Assn. (Family Law Comm.), Erie Co. Bar Assn. (Past Chmn Family Law Comm.), Northwestern PA American Inns of Court; Asst. City Prosecutor, Akron, OH 1983-84; Partner - Elderkin, Martin and Kelly, 1984-1999; PA State University and Mercyhurst College Adjunct Professor

1990-2009, Instructor (Family Law), 1990-98; member of the Court of Common Pleas since January, 2000. Judicial Ethics Committee 2001-2003. Juvenile Court Judges' Commission 2003 - 2012. President Judge 2005-2009

HONORABLE JOHN GARHART



Born September 30, 1946, in Sharon, Pa; Youngstown University, Youngstown, Ohio (B.A.); Rutgers School of Law (J.D.). Served in the United States Army Reserves 1969-1974. Admitted to the Pennsylvania Bar in October 1974. Also admitted to the U.S. Supreme Court, United States Court of Appeals for the Third Circuit, U.S. District Court for the Western District of Pennsylvania and the U.S. Tax Court. Assistant District Attorney, Mercer County, Pennsylvania 1975-1976. Assistant U.S. Attorney for the Western District of Pennsylvania 1976-1982; Private Practice of Law 1982-2004; Assistant District Attorney, Erie County, Pennsylvania 2004-

2005. Included in *Best Lawyers in America* 1995-2005; Elected Judge of Erie County Court of Common Pleas in November 2005.

HONORABLE DANIEL J. BRABENDER, JR.



Born August 27, 1952, in Erie, PA, the son of Daniel J. Brabender, Sr. and Jane L. Austin Brabender, both deceased; Graduate of St. George Grade School (1966), Cathedral Prep High School (1970), University of Dayton (B.A., 1974) and University of Dayton School of Law (J.D., 1978); Former partner, Carney, Good, Brabender & Walsh (1978-2009); Admitted to all courts in the Commonwealth of Pennsylvania and State of Ohio, United States District Courts for the Western District of Pennsylvania and Northern District of Ohio, and the Third Circuit for the United States Court of Appeals; Member of the Erie County, Pennsylvania and American Bar Associations; Member of Phi Delta Phi legal fraternity and the University of Dayton School of Law Alumni Board of Trustees; Past president

of the Serra Club of Erie; Past president of the Cathedral Prep Alumni Association; Past member and chairman of the Cathedral Prep Advisory Board; Roman Catholic, St. George Parish; Elected Judge of the Erie County Court of Common Pleas (November 3, 2009); Two Children: Alexis Jane Brabender (born October 19, 2000) and Rachel Mary Brabender (born March 31, 2002).

HONORABLE JOHN J. MEAD



Born June 17, 1958 in Erie, PA, the son of the late Edward and Allene Mead. Graduate of Fairview High School (1976), Princeton University (B.A. 1980) and the University of Pittsburgh School of Law (J.D. 1983). Served as an Assistant United States Attorney for the Western District of Pennsylvania 1983 - 1989. Private practice of law from 1989 until 2015, including the law firms of Jones, Day, Reavis & Pogue; MacDonald Illig Jones and Britton; and Scarpitti and Mead. Assistant Erie City Solicitor 2006 - 2015. Elected Judge of Erie County Court of Common Pleas in November 2015. Married to Blair Mead; two children, James

and Adala.

HONORABLE JOSEPH M. WALSH, III



Born April 2, 1958, in Pittsburgh, PA, son of the late Joseph M. Walsh, Jr. and Patricia F. Walsh. Graduate of Edinboro University of Pennsylvania (B.A.), 1982, and the Western Michigan University Cooley Law School (J.D.), 1986. Served in the United States Navy, 1976-1980 (Submarine Duty). Served as Mental Health Review Officer (1991-2016). Former Partner Shapira, Hutzelman, Berlin, Ely, Smith & Walsh (1986-2016). Member Northwestern PA Inns of Court; Former Assistant City Solicitor. Member of the Erie County Bar Association. Founding member of Collaborative Professionals of Northwest PA. Elected Judge, Court of Common Pleas, Nov. 2015. Married to Nancy A. Walsh; son,

Shawn, Daughter, Carly, bonus daughters, Mary Grace and Allison Fitzmaurice and bonus son, Jonathan R. Fitzmaurice.

Senior Judges Erie County Court of Common Pleas Sixth Judicial District

Honorable John A. Bozza

Honorable Michael E. Dunlavey

Honorable Ernest J. DiSantis, Jr.

Honorable Shad Connelly



In Memory of

**JUDGE ROBERT A. SAMBROAK, JR.
November 15, 1955 – March 2, 2017**

Robert "Bob" A. Sambroak, Jr. died peacefully in his home, on Thursday, March 2nd, surrounded by his family, following a brief battle with illness. He was born in Pittsburgh, Pa., on November 15, 1955, the eldest son of Donna (Galuska) Sambroak and Robert A.

Sambroak, Sr.

He was a graduate of the University of Pittsburgh and received his law degree from Duquesne University in 1980. Judge Sambroak spent the 1980s in South Dakota before moving to Erie in 1990. Since then, he had been a longstanding member of the Erie community and served as a County Judge for just over three years. Prior to his judgeship, Bob worked in the District Attorney's Office and made a lasting impact on the community in many ways.

Becoming a judge was a culmination of his career in public service for his last three years. He served the last year as Administrative Judge of the Family Division. His most treasured days were spent leading Veterans Court, where he could work closely with Veterans of the armed forces. He will be missed by many, and left a legacy that words cannot describe.

History of Erie County Court of Common Pleas

The Erie County Court of Common Pleas is the 6th Judicial District of the Commonwealth of Pennsylvania. It is one of 60 Judicial Districts across the state encompassing 66 counties. These districts are served by 451 elected judges. The number of judges in each judicial district is determined by the size of the total caseload. They range from a low of 1 judge to a high of 93 judges. The Erie County Court of Common Pleas has 9 judges.

Common Pleas judges are elected to 10-year terms and they may serve an unlimited number of terms until they reach the mandatory retirement age of 75. After their first elected term, the merit retention provision of the Pennsylvania constitution allows judges to be retained to subsequent 10-year terms with a simple “yes” or “no” vote, without ballot reference to political affiliation. This retention vote is designed to eliminate political influence from being involved in making judicial decisions once elected.

Judges of the various Judicial Districts in the Commonwealth of Pennsylvania are compensated by State government. The number of judicial positions in each district is determined by the State Legislature with recommendation from the Pennsylvania Supreme Court. The first Judge elected to serve Erie County exclusively was John P. Vincent, who was elected in 1874. Over the next 130 years the Erie County Court of Common Pleas has grown to nine judges. The history of the expansion is as follows:

1874 – 1910	1 Judge
1911 – 1920	2 Judges
1921 – 1951	3 Judges
1952 – 1971	4 Judges
1972 – 1982	5 Judges
1983 – 1985	6 Judges
1986 - 2001	8 Judges
2002 – Present	9 Judges

The offices and courtrooms of all nine judges are located on the second floor of the Erie County Courthouse at 140 West 6th Street in Erie. The original Courthouse (which is now the west wing) was designed in 1852. Due to a need for more space, in 1889 an addition was added to the rear of the Courthouse creating an L-shaped structure. In 1929 the east wing was added creating the u-shaped building that housed the County Court and County government until 1977. In that year a new 5 story addition was added to the back of the original courthouse providing needed office space for County government and allowing for the entire Court to be located on the second floor of the now joined buildings.

One Judge in each Judicial District is designated as the President Judge. He/She is responsible for the efficient operation of the Court and ensuring that any matter at any stage of a proceeding is brought to a fair conclusion as promptly as possible. The President Judge is also responsible for the assignment of duties to the other judges of the Court. If in the assignment of duties, three or more judges form a specific division, one shall be designated as the Administrative Judge of that division. In Courts with seven or less judges, the President Judge is the judge with the most seniority in terms of years of continuous service. In Courts of eight or more judges, the President Judge is elected to a five year term by the other members of the Court. Complete rules regarding this process can be found in the Pennsylvania Rules of Court, Judicial Administration, Rule 706.

The current structure of the Erie County Court of Common Pleas under President Judge John J. Trucilla (elected President Judge in January 2016) establishes two distinct divisions. The Trial Division, under Administrative Judge William R. Cunningham, consists of four judges who handle all criminal and civil matters. The Family Division, previously under Administrative Judge Robert A. Sambrook, Jr., now Elizabeth K. Kelly is made up of five judges who handle all family related matters, juvenile and dependency cases, and Orphan's Court.

The Erie County Court of Common Pleas is comprised of 328 employees. Nine judges, thirteen magisterial district judges, the district court administrator, and two deputy court administrators are employed by the State. Three hundred three (303) employees are employed by the County in direct court related offices. Two hundred ninety-three (293) are full time and ten (10) are part-time. The direct Court related offices are Magisterial District Courts (40), Court Administration (68), Adult Probation (73), Juvenile Probation (48) and Domestic Relations (74).

MAGISTERIAL DISTRICT JUDGES

Judicial districts are also served by smaller "community courts" known as Magisterial District Courts. The Pennsylvania Constitution was revised in 1968 and created these courts under the supervision of the Supreme Court of Pennsylvania. Each Judicial District established courts based upon political subdivisions with ultimate approval by the Supreme Court. The 6th Judicial District was initially served by 17 district courts. The number of courts was reduced, through consolidation, to 15 courts by 1987. Upon direction by the Supreme Court in 2012 the Court did an evaluation of district courts and it was recommended, and approved, to further consolidate two magisterial district courts. Erie County is currently served by 13 courts across the County.

Generally, Magisterial District Courts handle the initial processing of misdemeanor and felony criminal cases, criminal summary offenses, civil cases where the amount in dispute is less than \$12,000, traffic cases, and landlord/tenant disputes. Participants in any matter decided at this level are provided with a mechanism for appeal to the Court of Common Pleas. Magisterial District Judges (MDJ) are elected to six-year terms. Unlike Common Pleas Judges, MDJs are not entitled to retention for subsequent terms but must run for re-election for any six-year term(s). In order to become a Magisterial District Judge a person must be at least 21 years of age, a citizen of the Commonwealth of Pennsylvania, and a resident of his/her magisterial district for one year. Before taking office he/she, if not an attorney admitted to the Bar in Pennsylvania, must be certified by the Administrative Office of Pennsylvania Courts as successfully completing a training and education program administered by the Minor Judiciary Education Board. Once elected,

MDJs must complete an initial practicum course and, thereafter, attend and successfully complete thirty-two hours of continuing education on an annual basis.

COURT ADMINISTRATION

ADMINISTRATIVE STAFF: The District Court Administrator, two Deputy Court Administrators, Juvenile Court Master, Law Librarian, Orphan's Court Investigator, Orphan's Court Auditor, Custody Supervisor, Custody Conciliator, two PFA Case Coordinators, Jury Coordinator, and four Computer (IT) personnel.

ADMINISTRATIVE SUPPORT STAFF: Nine employees (eight full time and one part time) provide clerical and administrative support for the non-judicial staff.

JUDICIAL SUPPORT STAFF: Each Judge has a personal staff that includes a secretary, law clerk and tipstaff. These employees are supported by seven part time employees who are used when additional staff is needed due to workload or absence. One law clerk also serves a dual role as Court Solicitor. The Court is also supported by twelve Court Reporters (eleven full time and one part time).

MAGISTERIAL DISTRICT JUDGE SUPPORT STAFF: Each Magisterial District Judge has one person who serves as lead secretary and is personal staff of the MDJ. All other clerical staff are considered Court employees and the number of clerical staff in each office is determined by caseload size and location.

DISTRICT COURT ADMINISTRATOR

Pursuant to the AOPC Desk Book for President Judges, if the president judge can be thought of as analogous to the chairman of the board of a corporation, the district court administrator (DCA) fills the role of chief executive officer, carrying out the strategic vision of the president judge and board of judges. To the extent desired by the president judge, the DCA oversees the day-to-day operation of the Courts. Day-to-day operations include, but are not limited to: human resource and personnel management; budgeting and fiscal affairs; facilities management; security issues; court operations and planning; media relations; and intra governmental relations and communications. The DCA must ensure that the independence and effective operation of the Court is not inhibited in any way by outside decision making. As directed by the president judge, the DCA serves as the liaison to other county departments and branches of government.

Peter Freed is the current District Court Administrator in Erie County. Mr. Freed began working for the Court in 1972 as a juvenile probation officer and supervisor. In 1986 he became the Deputy Court Administrator in charge of the Trial Division and Magisterial District Judges. In 2015 he replaced Thomas Aaron who had served as DCA since 1995. There have been two others who have served as District Court Administrator for the Erie County Court, Ralph Lurker (1986 – 1989) and Andra Motyka (1990 – 1995).

DEPUTY COURT ADMINISTRATORS

The Court and District Court Administrator are assisted by two Deputy Court Administrators. As with the DCA, these individuals are state level employees of the Administrative Office of Pennsylvania Courts (AOPC). In Erie County these individuals assume primary responsibility for monitoring the day-to-day processing of all cases through the court system. Julia Bagnoni is the Deputy who supervises the processing of all criminal and civil cases in the Trial Division. Rebecca Humphrey is the Deputy who assumes the responsibility for scheduling and caseload management in the Family Division. The Deputies also administer the operation of the 13 Magisterial District Courts in the 6th Judicial District and are responsible for Court policies related to language access,

ADA compliance, right to know inquiries, outside counsel assignments and other administrative responsibilities to assist in the operation of the Court.

COMPUTER BUREAU

The Court computer bureau provides computer and technical support to all direct court offices and a large part of the Courthouse. The four employees in the bureau are direct employees of the Court under the supervision of the President Judge. The staff is responsible for all computer support for the Courts (2nd floor), Law Library, Juvenile Probation, Adult Probation (3rd floor), Clerk of Courts, Prothonotary, Recorder of Deeds, Register of Wills, Sheriff, and District Attorney. These offices comprise 75% of the Courthouse structure. They also support the 13 magisterial district courts in various County locations and manage the County e-mail system located in the Courthouse. Technical support is provided to 448 devices which include individual personal computers, laptops, iPads, video conference equipment and servers used by the employees of these departments. The staff is also available to assist the County IT department as needed. Keith Breter serves as the Court IT Manager and Jim Calabrese is the Court Network Administrator and manager of the County e-mail system.

CUSTODY CONCILIATION

The office of Custody Conciliation is a division of the Erie County Court supervised by Joshua Maloney. The office assists parents in resolving custody issues of minor children through non-adversarial proceedings. Mediation and conciliation techniques are used to develop a plan or schedule of custody that the parties believe is in the best interest of the children involved. The Court requires mandatory conciliation in all custody cases where a complaint for custody or a petition for modification is filed. The parties have the option to use the processes of the intake conference, conciliation conference, and modification conference to entirely avoid adversarial court proceedings. Most issues that arise with custody of minor children can be resolved through the Custody Conciliation Office so long as the parties are able to consent to the solutions and custody arrangements. If the issues cannot be mutually resolved at this level, the case proceeds to an adversarial hearing before a Judge in the Family Division.

PROTECTION FROM ABUSE

The Protection from Abuse Act No. 206 was approved in December 1990. As a result of this Act, President Judge Jess Giulante created the Protection from Abuse (PFA) Office under the direction of the Court of Common Pleas. At its inception, one staff member was dedicated to assist individuals seeking protection as provided under the law. The current PFA office consists of two full time employees and one part time employee. The staff assist the Court by assuring that parties have the proper paperwork and necessary documentation when they appear before the Judge. If the request is granted, they make sure all orders are properly filed and served and schedule any future hearings. The employees are available to assist all parties to the action and do not act as an advocate for either the plaintiff or the defendant.

Protective orders of this type are civil matters. Any person can request an order of Protection from Abuse (PFA) from another person who is related by blood or marriage or with whom there is, or was, an intimate sexual relationship. To request a PFA there must be physical harm, threats of physical harm, or a reasonable fear of serious bodily injury. In 2015, two additional types of protective orders were established. A Protection from Intimidation (PFI) order requires the defendant to stay away from a victim of intimidation. Only persons under the age of 18 (Minors) are eligible to obtain a PFI. Also, the defendant

must be at least 18 years of age and the minor plaintiff and the defendant cannot be family or household members. A Sexual Violence Protection (SVP) order is an order that requires the defendant to stay away from a victim of sexual violence. Any person can request the entry of a SVP order against another person who is not a family or household member. In both the PFI and SVP the orders can be requested regardless of whether the plaintiff seeks criminal prosecution.

JURY MANAGEMENT

Jury service is the most likely way a citizen will become involved in the Court System. Although many citizens consider jury duty to be an inconvenience, everyone must remember that serving as a juror when summoned is an obligation as a citizen and should not be taken lightly. The Court is willing to work with all potential jurors to make accommodations to make service as convenient as possible while still ensuring the availability of qualified jurors for trials. In Erie County, there are 10 two-week trial terms scheduled throughout the year and jurors are summoned for each day. Occasionally, jurors are summoned outside the trial terms to accommodate cases that may be more complicated or have unique circumstances. Jury service in Erie County is limited to one day or one trial. Both criminal and civil cases may be scheduled during any given trial term. The jury office consists of jury coordinator, Pamela Zysk, and one clerical support staff. They handle the notification and qualification process and assist jurors when they report to the Courthouse for service. The compensation rate for jury service is set by the state legislature and is not under the control of the Court or the County.

LAW LIBRARY

Erie County government provides funding for the operation of a law library within the Courthouse. The operation of the library, under Law Librarian Max Peaster, is supervised by the Court of Common Pleas. The library's purpose is to build a collection and provide services to support the research needs of the Court, legal community and the public. The law library maintains a comprehensive collection of current Pennsylvania primary and secondary legal material, as well as selective Federal resources in print form. In addition, the library has two computer workstations that provide online access to case citation services, legal periodicals, and a collection of secondary or analytical titles through Westlaw, a computer assisted legal research system. In recent years there has been a dramatic increase in the number of individuals who chose to represent themselves in legal actions. The library provides access to legal documents and publications that may be of help to these individuals. The law librarian will advise the pro se litigant on where they may find information they might need; however, he cannot provide legal advice or direction.

ORPHAN'S COURT SUPPORT

The name "orphan" in Orphan's Court is derived from the general definition of the word, as one lacking protection. The responsibility of Orphan's Court is to protect the personal and property rights of those who are unable to manage their own affairs. The Court's jurisdiction extends to minors, incapacitated persons, decedents, trusts, principals and agents under power of attorney, and non-profit charitable organizations. The Court appoints guardians for minors and incapacitated persons to handle their financial affairs and/or their health and safety needs. The actions and accounts of those under the Court's jurisdiction are examined and audited.

The Erie County Court has two employees who provide support to the Orphan's Court Judge. The Orphan's Court Investigator, Carole VanDuzer, conducts home studies

in connection with adoptions, serves initiating petitions for the appointment of guardians of the incapacitated upon those alleged to be incapacitated, and files reports of those instances with the Court. The Orphan's Court Auditor, Patricia Rougeux, examines all First and Final Accounts filed with the division in decedents' estates, trusts, powers of attorney, and guardianships of incapacitated persons and minors. The auditor examines and reviews the account, the petition for adjudication, and all related filings called for audit before the Judge. The auditor is also responsible for reporting any unresolved issues or discrepancies that may delay the confirmation of any account.

JUVENILE PROBATION

The Juvenile Court was established in Pennsylvania in 1903 by the state legislature. At that time, in Erie County, the Juvenile Court was scheduled for monthly sessions that handled a wide variety of both delinquent and dependent issues with youth who came before the court. Until 1933, the jurisdiction of the court was for minor crimes. In 1933, Juvenile Court jurisdiction was expanded to include all crimes (except murder), truancy, and incorrigibility that may have been committed by a youth under the 16 years of age. The age of adulthood was extended to 18 years of age in 1939. The Juvenile Act was again modified in 1972 when Pennsylvania adopted the Uniform Juvenile Court Act in response to constitutional challenges to due process rights of youth. The Juvenile Act continues to be amended periodically to respond to changing needs of society and the youth it serves. An example is Act 33 of 1996 (commonly known as the Fisher Bill), which mandated the initial charging of certain crimes committed by a juvenile over the age of 16 must take place in adult criminal court.

Pennsylvania's system of administration of Juvenile Courts is a decentralized model. The Erie County Court ensures compliance with the Pennsylvania Juvenile Court Act but maintains control of its own cases. The local Court determines what programs are needed and utilized. The Court is further supported at the state level by the Juvenile Court Judges Commission and the Pa. Council of Chief Juvenile Probation Officers. The Juvenile Probation Department, as an arm of the Juvenile Court, is responsible for the supervision of children committing delinquent acts as defined by law. The department provides programs of supervision, care, and rehabilitation whose goals are to provide protection to the community, the imposition of accountability for offense committed, and the development of competencies to enable youth to become responsible and productive members of the community. As a result of the emphasis on the needs of juvenile offenders, in 1972 the department increased from 5 to 11 probation officers and administrators. The department currently is under the supervision of Chief Probation Officer Bob Blakely and Deputy Tom Kern and utilizes thirty (30) probation officers and five (5) supervisors. Past Chief Probation Officers were Stan Fuller (1967 – 1973), David Christensen (1973 – 1982), and Tom Antolik (1982 – 1997).

ADULT PROBATION

In 1903 the Court began to use the services of a probation officer to service the Court in supervising and assisting defendants that appeared before the Court. Initially, this person supervised both juvenile and adult individuals. In 1919, Captain John Sullivan was appointed as an Adult Probation/Parole Officer under Pennsylvania law, which provided for the parole of prisoners from penitentiaries. Various individuals assumed the role until 1967 when the judges of the Court recognized the need for adequate service to the Court and community through the Adult Probation Department. With the co-operation of the Erie County Commissioners, the department began to expand in 1969 (from its one-

man staff who carried a caseload of nearly 700). By 1973 the staff had grown to a Chief Probation Officer and 11 probation officers with an average caseload of 80 clients. With an increased law enforcement effort aimed at drunk driving enforcement, the department instituted the Erie County D.W.I. program in 1974. Also around that time, the Court was given the option of placing a defendant on Accelerated Rehabilitative Disposition (ARD) or Probation Without Verdict (PWOV) allowing for supervision of a defendant without the necessity of a conviction. Another significant addition was the creation of a Collection Unit in 1987 that was dedicated to collecting outstanding fines, costs, and restitution. In the 1990s, Intermediate Punishment, as a punitive sanction, was introduced leading to the advent of home electronic monitoring and intensive probation as an alternative to incarceration. Specialization continued into the next decade with specialized programs for sex offenders, drug addicted offenders, offenders with mental health issues, and offenders charged with domestic violence.

The mission statement of the Erie County Adult Probation/Parole Department is the protection of the community by reducing criminal behavior and recidivism of Adult Probation offenders placed on probation and parole. This is done by effective supervision, enforcing accountability of offenders, and rehabilitation. The community benefits to a degree, when the offender is properly supervised. This would occur by his/her successful re-entry into society and following law abiding life, or being removed from society and placed in a prison as a risk to the population as a whole. The department is currently adopting "evidence based" practices and programs that emphasize outcomes to achieve the goal of community safety and reduce recidivism among probationers.

Currently, Adult Probation has seventy three (73) staff members. The department is supervised by Director Paul Markiewicz and Deputy Director Richard Wiencekowsky. The professional probation staff consists of five (5) supervisors, forty-six (46) probation officers and one (1) therapist. Additional staff support include two (2) collection compliance officers, one (1) community service work crew leader, one (1) staff accountant, (1) office manager, and fourteen (14) clerical support. Past Directors of Adult Probation since 1972 include Frank Liebel, Arthur Amann, Robert Lewis, Ray Reade, and Jeff Shaw.

DOMESTIC RELATIONS

The Erie County Court originally collected child support through the Support Services Department which was comprised of two employees. In 1975, with the encouragement and direction of the Pennsylvania Department of Public Welfare, the Court established a Domestic Relations Services (DRS). Erie County then signed the first Cooperative Agreement with the Department of Public Welfare and became part of the new Federal IV-D Program. The staff of DRS was then able to expand to thirteen (13) employees. Every five years each of Pennsylvania's 67 counties (60 Judicial Districts) sign off on the Cooperative Agreement which is a contract between the Bureau of Child Support Enforcement, a division of the Pennsylvania Department of Human Services, and the Court and Administration of Erie County. This contract details the Courts responsibility to determine paternity, establish child support orders, and to enforce support obligations for the citizens of Erie County and beyond. In return, the State reimburses Erie County 66% of all eligible expenses of DRS as well as providing additional funding in the form of incentive payments based upon performance. Since 2008, DRS has met and exceeded all performance measures to secure the maximum incentive money available.

The Domestic Relations Section is comprised of five distinct units. The Financial Unit is responsible for accounting and record keeping of all funds received and dispersed by DRS. The Intake/Interstate Unit assists clients with initial filing of complaints, filing for modification of support, and working with other Courts within Pennsylvania and the United States. The Conference Unit works with clients to establish orders by mutual agreement or mediation. If an agreement cannot be reached, the case is forwarded to a Judge for a DeNovo Hearing. The Enforcement Unit assumes responsibility to enforce the Court Order for support should there be failure to comply. Various enforcement techniques are used and, if they do not work, the case is forwarded to a Judge for a Contempt Hearing. Lastly, the Customer Service Unit performs duties such as answering phone calls and emails, sending out wage attachments, locating defendants, working with prisons, medical support and veteran relations.

The Domestic Relations Section employs seventy four (74) staff members. The Director is Mark Causgrove and the Assistant Director is Mickie Baiera. The professional staff consists of five (5) supervisors, five (5) senior unit officers, nine (9) conference officers, nine (9) enforcement officers, and four (4) intake officers. The Department is supported by forty (40) clerical staff.

Appendices

History of Criminal Filings (past 25 years)

1991	1996	2001	2006	2011	2016	% increase
2,429	2,400	2,790	3,282	3,242	3,809	56.81%

Criminal Statistics

(Numbers represent cases filed, not number of defendants. A defendant could have multiple cases)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	
New cases filed	3,075	3,002	3,092	3,109	3,242	3,446	3,481	3,323	3,506	3,809	
No. cases disposed	3,393	3,200	3,301	3,408	3,345	3,538	3,492	3,742	3,679	4,280	
Guilty Pleas	1,925	1,692	1,847	1,970	1,990	1,971	1,987	2,226	2,154	2,579	60.26%
ARD	851	859	778	849	749	859	834	783	821	925	21.61%
Jury Trial	97	102	97	83	99	106	98	97	91	91	2.13%
Non-Jury Trial	25	38	26	24	20	21	22	26	31	18	0.42%
Nolle Pros	257	236	245	222	238	295	293	285	222	230	5.37%
Bench Warrant*	238	273	308	260	249	286	258	325	360	437	10.21%

* When a bench warrant is served, the case again becomes available for disposition as above (plea, ARD, trial, etc.)

Age of Pending Cases

	State Avg.	Erie
0-60 Days	32.4%	36.2%
61-120 Days	23.5%	28.0%
121-180 Days	13.7%	17.3%
181-240 Days	8.4%	6.0%
241-300 Days	5.5%	3.9%
301-360 Days	3.8%	2.1%
Over 361 Days	12.7%	6.5%

Most Common Offenses (as % of caseload)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Driving Under Influence	32%	35%	35%	33%	29%	29%	28%	30%	31%	30%
Retail Theft										

Simple Assault	5%	5%	7%	7%	7%	6%	7%	10%	8%	8%
	6%	5%	5%	7%	6%	6%	4%	5%	5%	6%

Magisterial District Judges

	Cases Filed									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Criminal	5,573	5,358	5,467	5,589	5,844	5,156	5,124	5,068	5,383	5,502
Non-Traffic (Summary)	12,595	13,332	12,748	12,477	12,053	12,794	11,473	11,582	11,420	10,752
Traffic	65	24,168	25,535	23,848	25,993	25,908	26,402	25,196	25,637	24,372
Civil	6,587	6,627	5,914	6,399	5,843	3,862	2,705	2,328	2,281	2,182
Landlord/Tenant						2,772	2,875	2,935	2,933	2,943

Individual Caseload 2016

	Criminal	Summary	Traffic	Civil	Landlord/ tenant	Total
Suzanne Mack (06-1-01)	369	1,080	591	101	453	2,594
Paul Urbaniak (06-1-02)	438	672	932	51	447	2,540
Thomas Carney (06-1-03)	518	1,150	1,012	146	495	3,321
Paul Bizzarro (06-1-04)	714	1,177	1,189	377	412	3,869
Dominic DiPaolo (06-1-05)	354	548	784	233	304	2,223
Paul Manzi (06-2-02)	493	1,223	2,739	271	146	4,872
Brenda Nichols (06-2-04)	280	1,338	1,637	181	45	3,481
Mark Krahe (06-3-01)	505	497	2,509	114	117	3,742
Scott Hammer (06-3-02)	217	720	2,429	73	50	3,489
Susan Strohmeier (06-3-03)	539	755	1,927	108	201	3,530
Brian McGowan (06-3-05)	582	410	2,594	110	87	3,783
Denise Stuck-Lewis (06-3-06)	354	550	4,360	231	87	5,582
Chris MacKendrick (06-3-08)	343	508	1,669	186	99	2,805

**Custody Conciliation
Filings**

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Custody Complaints	685	668	661	657	726	719	645	560	584	594
Petitions to Modify	623	569	539	487	480	564	540	507	503	499

Custody Conciliation

Intake Conferences	501	492	507	627	561	578	563	462	476	483
Conciliation Conferences	154	150	161	162	161	143	121	107	86	91
Modification Conferences	555	529	521	586	510	548	534	521	533	534

Court Hearings

Request for Custody Trial	217	232	224	237	205	242	256	296	406	485
Custody Trials Scheduled	116	136	164	165	146	160	185	158	300	403
Contempt Petitions	105	89	94	108	97	179	151	154	267	301

Protection From Abuse (PFA)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Temporary Hearings	934	786	974	1,031	854	918	874	795	837	799
Temporary Orders Denied	89	83	115	166	153	155	140	212	196	227
Temporary Orders Granted	845	703	859	865	701	763	734	583	638	572

Temporary Orders Denied	State Avg	Erie
Temporary Orders Granted	13.5%	28.4%
	86.5%	71.6%

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Final PFA Hearings	845	703	859	865	701	763	734	583	638	572
Final Orders Granted From Temporary Order	588	498	614	593	492	474	456	377	358	336
	69.6%	70.8%	71.5%	68.6%	70.2%	62.1%	62.1%	64.7%	56.1%	58.7%

Final Order Granted by Stipulation	State Avg	Erie
	19.3%	38.2%

Final Order Granted after Hearing	15.7%	25.8%
Denied - Plaintiff Did Not Appear	29.6%	13.7%
Denied - Plaintiff Withdrew Petition	20.7%	7.7%
Denied/Dismissed/Other	14.7%	14.5%

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Violation of Final/Temp (ICC)	265	243	224	234	191	198	193	155	169	130

Jury Yield and Utilization

2015 (taken from Caseload Statistics of the UJS of Pennsylvania)

No. Summonses mailed	32,829		St. Avg.
Returned Undeliverable	5,010	15.3%	7.6%
No Response	4,526	13.8%	22.6%
Prospective Jurors	23,293		
Disqualified	3,459	10.5%	12.9%
Exempted	380	1.2%	4.1%
Excused	3,563	10.9%	11.8%
Deferred to New Term	2,799	8.5%	8.7%
Defer from Previous Term	3,456	10.5%	7.4%
No. of Jurors Qualified and Available	16,548	50.4%	39.5%
Reported for Service	5,968	36.1%	48.5%
Told not to Report	5,948	35.9%	46.9%
Sent to Courtroom	4,379	73.4%	81.4%
Used in Incomplete Sel.	180	3.0%	14.4%
Impaneled or Sworn	1,273	21.3%	19.9%
Removed			
Cause/Hardship	867		
Peremptory Challenge	1,208		

**Juvenile Probation
General Breakdown:**

Male	75.4%								Female	24.6%	
		2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
New Cases:		596	525	494	544	461	439	355	337	326	256
Re-Opened Cases:		231	205	206	200	191	150	148	111	113	100
Totals:		827	730	700	744	652	589	503	448	439	356

Juvenile Court Hearings Juvenile Master

Hearing Type:											
Detention:		343	275	281	256	238	205	207	229	232	162
Arraignment:		559	447	408	367	392	352	345	281	232	242
Adjudication:		412	354	342	313	252	186	142	157	147	139
Revocation:		96	68	64	49	59	47	60	43	60	58

Juvenile Court Judge

Hearing Type:											
Adjudication:		331	359	276	271	317	272	294	248	183	121
Dispositional:		572	532	519	437	437	433	312	339	339	247
Replacement:		32	24	26	24	54	31	27	14	31	22
Review:		204	224	158	167	162	173	138	159	152	106
Revocation:		21	54	95	99	67	46	19	32	36	21
Certification:		2	4	0	1	3	1	6	5	2	3

Juvenile in Placement (at end of year):										2015	2016
In-Home Monitoring:										13	4
Community Based:										40	32
Institutional Placement:										55	57
Total:										108	93

**Juvenile Dependency
Caseload**

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Petitions Filed	390	336	270	180	182	184	257	338	341	233
Petitions Processed	410	321	278	204	177	168	201	320	290	218

Juvenile Dependency Hearings Juvenile Master

Hearing Type											
Detention		228	284	219	165	110	106	135	197	211	147
Adjudication		251	242	204	159	135	120	137	195	212	161
Truancy		11	3	0	0	0	0	0	0	0	137

Juvenile Court Judge

Hearing Type**Dispositional**

200	196	188	131	130	119	121	171	182	52
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Permanency

705	677	553	549	497	490	448	586	678	764
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Redisposition

97	13	0	0	0	0	0	1	2	7
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Other

2	60	33	21	14	14	28	27	23	11
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**Adult Probation
Caseload**

2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
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Offender Caseload (All Units)

3,112	2,874	2,810	2,921	2,914	2,986	3,033	3,052	2,170	3,442
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Field Services (Total Clients)

2,463	2,254	2,149	2,170	2,163	2,114	2,121	2,109	2,194	2,414
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Avg. Caseload

176	161	153	154	149	141	141	140	144	152
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Specialized Caseload**Mentally Ill Offender**

188	182	273	333	355	384	417	437	436	462
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Intellectually Disabled Offender

60	62	50	45	37	41	40	37	39	44
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Sex Offender

87	88	84	87	85	98	90	101	121	129
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Specialized Supervision**Electronic Monitoring**

524	410	445	447	515	473	464	606	455	515
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Avg. on monitor

90	88	99	111	120	123	102	121	124	144
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Intensive Probation

216	186	150	132	199	242	249	284	218	130
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Avg. Caseload

47	33	32	38	38	47	43	45	52	34
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Court Related**Presentence Investigations**

1,065	993	912	858	826	837	820	884	848	693
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Revocations

457	408	417	462	504	466	545	610	593	537
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Technical Violations

287	243	239	292	315	305	319	393	397	306
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New Charges

	114	112	116	119	145	113	145	126	131	104
Tech & Charges	56	53	62	51	44	48	81	91	65	127
	Community Services Program									
New Clients Assigned	775	460	428	569	539	541	555	475	541	339
Hours Completed	22,886	22,978	21,479	27,167	34,046	29,839	28,619	23,801	21,747	19,152

Domestic Relations
Collection Totals

1975 \$ 2,739,439
2016 \$ 34,777,824

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Support Collections	\$41,146,963	\$41,246,974	\$42,527,200	\$42,026,076	\$40,527,200	\$39,939,323	\$40,059,860	\$37,687,560	\$35,867,870	\$34,777,826
Support Collections (Welfare)	\$2,007,651	\$2,151,297	\$1,683,270	\$1,707,042	\$1,627,894	\$1,612,984	\$1,566,443	\$1,413,867	\$1,197,374	\$1,222,343
IV-E (Juv. Prob. & C&Y)	\$338,600	\$298,651	\$392,052	\$317,358	\$273,426	\$291,192	171,072	\$233,294	\$300,922	\$240,794
Total:	\$43,493,214	\$43,696,922	\$44,602,522	\$44,050,476	\$42,428,520	\$41,843,499	\$41,797,375	\$39,334,721	\$37,366,166	\$36,240,963

Caseload

Support Complaints (Private)

	2,440	2,419	2,474	2,140	2,601	2,430	2,072	1,656	1,643	1,630
Support Complaints (Welfare)		907								
	1,047		899	892	1,067	982	841	852	853	773

New Filings Total:

	3,487	3,326	3,373	3,032	3,668	3,412	2,913	2,508	2,496	2,403
Support Modification (Private)										
	2,686	2,337	2,449	2,272	1,693	1,675	1,998	2,159	2,036	2,019
Support Modification (Welfare)										
	281	266	221	200	168	176	234	147	179	145
Total:										

	2,967	2,603	2,670	2,472	1,861	1,851	2,232	2,306	2,215	2,164
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Court Activity

Support DeNovo Hearings

	328	378	368	418	311	339	508	337	323	375
Support Contempt Hearings										
	1,879	1,557	1,519	1,609	1,454	1,768	2,346	1,422	1,169	1,409

Adoptions

Filings:

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Adoption Petitions	155	266	202	154	139	72	127	87	104	132
Voluntary Relinquishment (VR)	44	35	39	16	22	7	9	2	18	41
Involuntary Termination (IVT)	123	207	122	88	56	78	68	69	110	96
Petition to Confirm Consent	143	204	99	96	99	85	80	74	64	105
Minor Guardianship	143	129	146	142	92	54	53	110	154	133
Alleged Incapacitated	107	63	71	71	14	8	17	65	80	96
Emergency Intervention	18	14	8	19	25	5	17	14	21	24
Guardianships Other	8	65	69	64	49	45	45	68	67	58

Court Hearings:

Adoptions	131	218	181	99	96	61	72	51	61	73
Voluntary Relinquishment (VR)	20	15	13	2	5	4	9	5	6	12

Involuntary Termination (IVT)

68	93	115	52	53	35	63	50	93	112
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Confirm Consent

87	136	106	65	69	58	57	44	39	50
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Minor Guardianship

109	78	115	89	61	48	71	76	56
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Alleged Incapacitated

58	62	70	89	61	46	66	60	69	56
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Motion/Petitions Other

155	80	91	83	96	175	151	98	78	71
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Civil Court Activity

2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
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Settlement Conferences

95	100	89	100	83	62	58	60	61	67
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Jury Trials

14	18	6	11	9	13	8	10	5	9
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Non-Jury Trials

7	8	11	8	11	10	11	15	6	8
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Summary Judgement Motions

104	73	71	62	37	29	38	47	51	36
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Preliminary Objections

86	103	60	74	29	22	51	41	45	41
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Certification II Hearings

21	18	11	16	12	8	13	7	8	15
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License Suspension Hearings

128	144	115	108	89	98	106	103	85	85
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	Divorce									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Divorces Filed	759	779	785	830	800	716	642	627	682	650
Divorce Decrees Issued	698	688	665	675	732	648	631	631	601	595
In Forma Pauperis Requests (IFP)	226	207	200	318	311	304	304	294	337	232
Hearings Held:										
Request for Exclusive Possession	10	12	11	34	13	16	13	8	6	6
Petition for Bifurcation	18	27	10	23	7	6	8	12	6	2
Request for Counsel Fees	19	8	7	5	11	7	0	5	6	0
Petition to Enforce Settlement	12	6	19	25	29	21	7	21	36	6
Petition for Contempt	49	29	29	45	30	25	30	34	35	18
Request for Special Relief	55	43	28	52	47	46	40	26	31	30

	Divorce Master									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Appointment of Master	72	59	63	62	80	69	70	74	58	53
Master Hearings Conducted	65	37	30	38	31	45	34	29	33	26
Settled Prior to Hearing	39	26	23	25	26	28	27	36	30	26