

# **COURT of COMMON PLEAS ALLEGHENY COUNTY, PENNSYLVANIA**



**ANNUAL REPORT  
1979**

68653

## ABOUT THE COVER

The oil painting, "Trial Scene," by Pittsburgh artist David Gilmour Blythe is his commentary on a court proceeding in the last century involving the Mollie Maguires, a secret Irish immigrant miners' association that was involved in violent disputes over workers' rights primarily in the anthracite coal fields between 1860 and 1876.

Blythe's works were the subject of a doctoral thesis by Dr. Bruce W. Chambers entitled, "An Artist At Urbanization's Edge." Several of his paintings are in the collection of the Museum of Art at Carnegie Institute. This particular work, however, is a photograph of this Blythe painting from the collection at the Memorial Art Gallery of the University of Rochester.

David Gilmour Blythe lived most of his life (during the early and middle 1800's) in Eastern Ohio and Pittsburgh and was a frequent commentator on the events of these times through both his artistry and poetry.

This work is said to reflect the artist's antagonism toward the immigrant workers whom he believed to be manipulated by designing politicians and opportunists. It also reveals his objections to the violence attributed to these Irish immigrants who were embittered by arbitrary wage reductions, employment discrimination and company store policies.



ADMINISTRATIVE OFFICES  
COURT OF COMMON PLEAS  
PITTSBURGH, PA. 15219

CHARLES H. STARRETT, JR.  
ADMINISTRATOR

NCJRS

JUN 29 1980

ACQUISITIONS

TO: President Judge Michael J. O'Malley and the Judges of the  
Court of Common Pleas, all Court personnel and the Citizens  
of Allegheny County

I am pleased to submit to you the SIXTEENTH ANNUAL REPORT  
of the Court of Common Pleas of Allegheny County, Fifth Judicial  
District of the Commonwealth of Pennsylvania for the calendar year  
1979.

This year's report reflects our effort to expand on earlier  
efforts to relate the Court's activities through narrative detail  
as well as statistics.

We are indebted to the Administrative Judges, their staffs and  
the directors of the various Court offices who cooperated in pro-  
viding this information.

I am confident you will find this report helpful in assessing  
the performance of this Court in 1979.

Sincerely,

A handwritten signature in cursive script, reading "Charles H. Starrett, Jr.".

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# A DECADE of CHANGE

by Michael J. O'Malley  
President Judge

With this Annual Report for 1979, the Court of Common Pleas of Allegheny County brings to a close the greatest decade of change in the almost 200 year history of the Court.

When the 1970's began, quite frankly, there was an undeniable need for change. The system of justice in Allegheny County was just coming to grips with the reforms imposed by the then new Pennsylvania integrated court system which had only begun to take shape the previous year under the consolidation of state courts mandated by constitutional reform.

Our work was clearly laid before us. But as we look back now at these past 10 years and take stock of the progress made, there is every reason to do so with pride in our accomplishments.

There have been several significant achievements during the 1970's. One of them surely has been the computerization of the Court's information system, aided by the establishment of a Court Systems Office in 1973 with Law Enforcement Assistance Agency funding.

That work is well underway today, but far from finished. Indeed, the design and development of the Court information system will continue well into the 1980's.

No achievement of the 1970's, however, was more dramatic than the 1978 conversion to the One Day/One Trial Jury System. A success from the very beginning, it was responsible for greater utilization of jurors, more efficient use of jurors' time, a 3-1 increase in the number of jurors who served and a \$184,842 savings in the cost of the jury operation during the first year. The success of this innovation continued into 1979, resulting in even greater efficiency and savings.

In the CIVIL DIVISION during the 1970's the Court record of case dispositions attracted national attention. The Institute of Judicial Administration of New York University found cause to report in 1971 that the length of time involved in disposing of civil cases in this division of Common Pleas Court was among the lowest of all of the metropolitan courts in counties of 750,000 or more in population.

The following year, in response to the State Legislature's action in raising the maximum limit for arbitration cases from \$3,000 to \$10,000, the Court expanded its model arbitration program. Since then thousands of cases have been resolved by arbitration boards every year, bringing a swift solution to these minor claims cases and relieving the Civil Division of the burden of hearing them.

During the 1970's the CRIMINAL DIVISION also made considerable progress in reducing its case disposition rate. It reduced the average amount of time from the filing of a complaint to disposition to 104 days. That average was nearly 200 days at the beginning of the decade.

The Criminal Division during the 1970's also established the Court Bail Agency, which replaced an antiquated and discredited system of relying on the use of professional bondsmen.



The ORPHANS' COURT DIVISION has managed to keep pace throughout this decade with an ever increasing number of civil commitments to State mental hospitals, which at the beginning of the 1970's was a relatively new obligation imposed on the Court by the Mental Health and Mental Retardation Act.

During the 1970's the FAMILY DIVISION was literally on the move, with both the Adult Section and Juvenile Section being relocated in new facilities.

In 1973 work began on the remodeling of the Sixth Floor of the City-County Building as the new home for the Division's Adult Section. The move ultimately was completed in 1979.

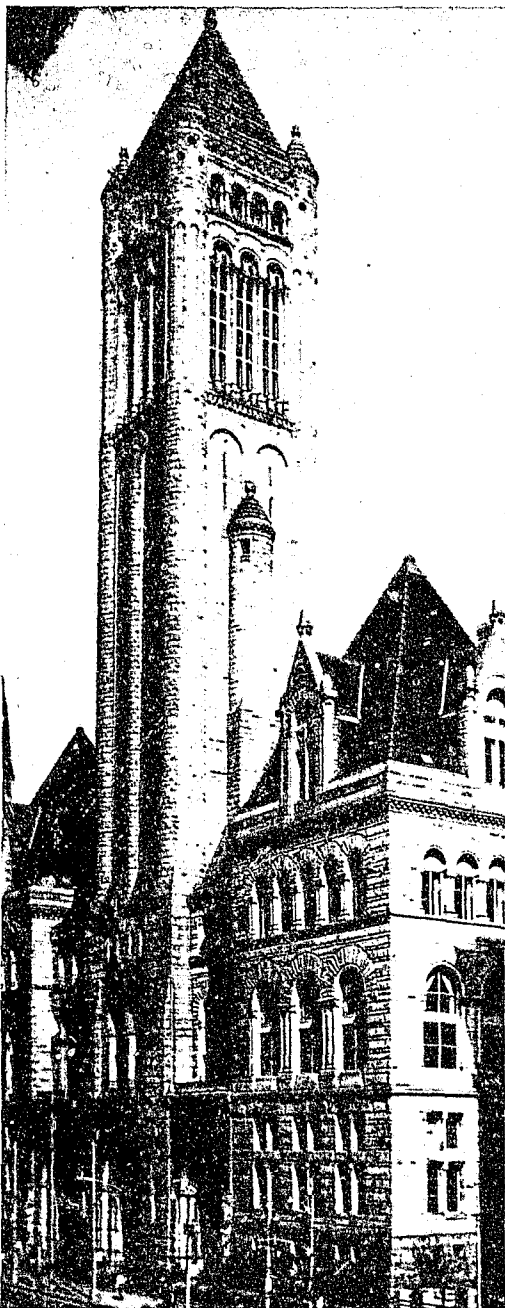
As the decade came to an end the Juvenile Section was in the process of moving back to its former, but since remodeled quarters, in the Oakland section of Pittsburgh.

There was a large increase over the past 10 years in the operation of the Adult Section's Family Support Collection and Disbursement Office. Total funds received and disbursed to dependent parents and children by this office climbed from \$8,402,224 in 1972 to \$22,532,147 in 1979.

The pace of change did not slacken as the Court reached the end of the decade. As is explained in detail on the pages that follow in this report, significant achievements continued during 1979.

These accomplishments last year and in the preceding 1970 years testify to the diligence of the Judges of this Court of Common Pleas to render justice fairly and efficiently and to the able assistance of the hundreds of members of the Court staff.

This record is a source of pride to all of us. It also gives cause for confidence in the future as the Judges and the staff look to the decade of the 1980's and the challenges that await our best efforts.



## THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY

HONORABLE MICHAEL J. O'MALLEY, PRESIDENT JUDGE

### CIVIL DIVISION

Hon. John P. Flaherty, Jr. - Administrative Judge 1/1/79-5/31/79

Hon. Nicholas P. Papadakos - Administrative Judge 6/1/79-12/31-79

Hon. Ralph H. Smith, Jr.  
Hon. J. Warren Watson  
Hon. Silvestri Silvestri  
Hon. Robert A. Doyle  
Hon. Marion K. Finkelhor  
Hon. Bernard J. McGowan  
Hon. Richard G. Zeleznik  
Hon. Francis A. Barry

Hon. Raymond J. Scheib  
Hon. I. Martin Wekselman  
Hon. S. Louis Farino  
Hon. Emil E. Narick  
Hon. Robert S. Grigsby  
Hon. Joseph A. Del Sole  
\* Hon. Maurice Louik  
\* Hon. Frederic G. Weir

### CRIMINAL DIVISION

Hon. Robert E. Dauer - Administrative Judge

Hon. Joseph H. Ridge  
Hon. Samuel Strauss  
Hon. Henry R. Smith, Jr.  
Hon. John W. O'Brien  
Hon. Thomas A. Harper  
Hon. James F. Clarke  
Hon. Zoran Popovich

Hon. Nathan Schwartz  
Hon. James R. McGregor  
Hon. George H. Ross  
Hon. Gerard M. Bigley  
Hon. Ralph J. Cappy  
\* Hon. Loran L. Lewis

### FAMILY DIVISION

Hon. John G. Brosky - Administrative Judge

Hon. Patrick R. Tamilla  
Hon. Livingstone M. Johnson  
Hon. R. Stanton Wettick, Jr.

Hon. Lawrence W. Kaplan  
Hon. Eugene B. Strassburger III  
Hon. William H. Colbert

### ORPHANS' COURT DIVISION

Hon. Paul R. Zavarella - Administrative Judge

Hon. Eunice Ross  
\* Hon. Hugh C. Boyle

\* Hon. J. Frank McKenna, Jr.  
\* Hon. William S. Rahauer

### ADMINISTRATIVE OFFICE

Charles H. Starrett, Jr.  
Court Administrator

Grenville K. Hayes  
Deputy Administrator 1/1/79-6/3/79

\*Senior Judges

Robert V. McCarthy  
Deputy Administrator 6/4/79-12/31/79

## CHANGES IN 1979 ROSTER OF JUDGES

### ADMINISTRATIVE JUDGES

Honorable Nicholas P. Papadakos, Civil Division-Elected 6/1/79

### RESIGNED

Honorable John P. Flaherty, Jr. - 5/31/79-To accept appointment to Pennsylvania Supreme Court

Honorable J. Frank McKenna, Jr. - 10/22/79-As Senior Judge

# REASSESSMENT

## ORDER HAS

## LONG TERM EFFECT

As a statistic it is only one out of thousands of cases to come before the Civil Division of the Court of Common Pleas in 1979.

In terms of significant, long-term effect, however, the Court Order of May 1979 of Judge Nicholas P. Papadakos ordering the re-evaluation of property in Allegheny County on the basis of 25% of market value is the most important decree involving the real estate taxpayers of Allegheny County in decades.

This is one of several Court orders to be issued in the long legal battle over the Greentree Borough challenge to the constitutionality of the County's staggered triennial property tax assessment system.

The original order issued in the case came in the form of a consent decree in October of 1978. It followed an unsuccessful effort by the County Commissioners to reform the Second Class County Code tax assessment provisions through the Pennsylvania Legislature.

### Civil Division

The Civil Division, in general, handles all matters not specified as within the jurisdiction of any of the other three Court divisions. Specifically, the Civil Division has responsibility for arbitration; statutory appeals; actions in equity, excluding those involving family problems; and actions at law. Some of the kinds of suits that can be entered in action at law include assumpsit, trespass, tax appeals and eminent domain.

What the General Assembly would not yield, however, ultimately was achieved through this series of Civil Division court orders. A moratorium went into effect on the reassessment of property; the assessment and assessment appeals process were separated with the appointment of a Director of Assessments; uniformity in assessing property values was mandated by the Court.

These reforms were among a list of 49 recommendations made by Allegheny County's special Property Assessment Task Force.

The Task Force, a group of County officials and private citizens appointed by the Board of Commissioners early in 1976, made these recommendations for reforming the system following several public hearings throughout the County.

(Cont. on Page 6)

### DISPOSED CASES FOR 1979

Method of Disposition	Number	Percentage	*Average Age From Case Filing To Disposition	*Average Age From Date At Issue To Disposition
Transfer to Arbitration by Court Order	405	6.0%	17.7 months	4.0 months
Settled in Conciliation	571	8.5%	29.8 months	19.5 months
Non-Jury Trial, Case Reported Settled	28	.4%	26.5 months	20.6 months
Non-Jury Trial, Case Settled by Court	248	3.7%	21.5 months	24.1 months
Non-Jury Trial, Findings by Court	498	7.4%	20.7 months	18.9 months
Jury Trial Cases Reported Settled	228	3.4%	36.4 months	23.4 months
Jury Trial Cases Settled by Court Before Trial	1,199	17.8%	34.3 months	23.2 months
Jury Trial Cases Settled Before Verdict	190	2.8%	34.5 months	25.4 months
Jury Trial Cases Tried To Verdict	265	3.9%	33.7 months	25.6 months
Cases Not Yet Listed Settled by Court	547	8.1%	22.2 months	19.0 months
Cases Not Yet Listed Settled by Parties	1,203	17.8%	22.4 months	14.5 months
TOTAL	5,382	79.8%	**26.9 months	**18.8 months
Statutory Appeal Cases Disposed	1,365	20.2%		
GRAND TOTAL	6,747	100.0%		

FIGURES FOR 1979 were delivered from the data base of the new computer system which was made operational in 1979. Comparisons with 1978 figures, therefore, are not available. The adjusted total disposition for 1978, however, is 5,989 cases. The disposition total for 1979 reveals a seven percent increase over the previous year.

\* For Arbitration Appeal cases the date of filing is taken from the date of appeal, thereby reducing the overall age from the date of filing.

\*\* In order to maintain accuracy in computing the average age, this figure is separately calculated and is not simply the average of the individual figures above.



# CIVIL DIVISION

## Cases Placed at Issue and Disposed

### ANALYSIS OF CASES PLACED AT ISSUE

	1978				1979			
	Placed at Issue	%	Disposed	%	Placed at Issue	%	Disposed	%
Trespass - General	1,041	34.1%	1,005	32.2%	872	31.5%	1,175	32.7%
Trespass - Motor Vehicle	920	30.4%	1,055	33.8%	778	28.1%	1,084	30.1%
Assumpsit	681	22.3%	596	19.0%	691	25.0%	850	23.6%
Equity	133	4.3%	126	4.0%	109	3.9%	111	3.1%
Miscellaneous	271	8.9%	339	11.0%	318	11.5%	377	10.5%
TOTAL	3,046	100.0%	3,121	100.0%	2,768	100.0%	3,597	100.0%

	Cases at Issue Pending		Percentage Change	
	1/1/79	12/31/79		
Trespass - General	1,913	1,610	-15.8%	
Trespass - Motor Vehicle	1,572	1,266	-19.5%	
Assumpsit	1,088	929	-14.6%	
Equity	187	185	- 1.0%	
Miscellaneous	1,010	898	-11.0%	
TOTAL	5,770	4,888	-15.3%	

### ANALYSIS OF NON ISSUE CASES

	1978				1979			
	Filed	%	Disposed	%	Filed	%	Disposed	%
Arbitration	0	.0%	38	1.9%	8	.4%	8	.3%
Arbitration Appeals	785	35.8%	648	33.3%	743	35.3%	796	36.7%
Statutory Appeals	1,410	64.2%	1,268	64.8%	1,355	64.3%	1,365	63.0%
TOTAL	2,195	100.0%	1,954	100.0%	2,106	100.0%	2,169	100.0%
				1/1/79				12/31/79
Statutory Appeals Open				1,185				1,175

## REASSESSMENT ORDER

(Cont. from Page 5)

Additional hearings were conducted by the Court once it intervened on those recommendations before they were given the force of law through Judge Papadakos' court orders.

Another noteworthy achievement in the Civil Division in 1979 was the continued decline in the case disposition rate. Following new procedures introduced by the Court in 1977 to achieve speedy resolution of cases, the disposition rate (from the date cases were placed at issue until disposition) dropped from 23.5 months in 1977 to 21.5 months in 1978 and 18.8 months in 1979.

There was a decrease in the number of cases placed at issue in 1979 (from 3,046 in 1978 to 2,768) and in the number of statutory appeals filed (from 1,410 in 1978 to 1,355). There also were fewer arbitration appeals. The latter dropped from 785 in 1978 to 743 in 1979.

The most significant increase was in the number of cases disposed of, a jump from 5,075 in 1978 to 5,766 in 1979.

This is a 13.5% hike in dispositions and was achieved despite only a slight increase in the number of judge days, from 1,643 in 1978 to 1,657 in 1979. The increase raised the average Disposition Per Judge Day rate from 3.1 to 3.8, which is an increase in judicial productivity of more than 20%.

According to Judge Papadakos, it is the goal of the Civil Division to list and dispose of every case within six months after it is certified ready for trial pursuant to the 240 day rule. The progress made in this direction in 1979 indicates the goal will be achieved by mid-1981.

There were 11,082 cases filed in the arbitration section in 1979 and 10,517 disposed. The remaining 565 cases became part of the Division's pending inventory of 9,019 cases as of December 31, 1979. The total inventory, it has been discovered, includes at least 5,000 cases that have been settled, abandoned or inactive for two or more years, but proper notice of these were not given to the computer. When these cases have been purged the remaining 4,000 cases to be heard and disposed of within 90 days of filing will make the Division current.

In 1979 there were 1,355 statutory appeals filed and 1,365 disposed of. The Court anticipates 1,400 appeals will be filed in 1980, but a much higher disposition rate also is expected.

Additional dispositions by the Civil Division judges in 1979 were the 20,926 preliminary and post trial matters handled. These included 619 orders involving general arguments, 5,169 calendar control matters and 14,184 orders of the motions control judges.





FOR THE FIRST TIME in the history of the Pennsylvania Courts cameras record court proceedings. The first such occurrence for both the electronics media and still camera photographers was

the case involving the tax assessment system in Allegheny County before Judge Nicholas P. Papadakos, Administrative Judge of the Civil Division. (Pittsburgh Post Gazette photograph)

## CAMERAS FOCUS ON JUSTICE

History was made in the courtroom of Judge Nicholas P. Papadakos, Administrative Judge of the Civil Division, last October 1, 1979, when television, radio and still cameramen were permitted to film and record Court proceedings for the first time in Pennsylvania.

This was the first day of the one year experiment authorized by the Pennsylvania Supreme Court which permits the use of TV cameras and other electronics media equipment in Pennsylvania's civil courtrooms for non-jury cases.

The event took on even greater significance because the case before Judge Papadakos also was of historical proportions. It involved the tax assessment system in Allegheny County, a story of countywide interest for the media which had attracted a full complement of newspaper and electronics journalists.

As cameras recorded the events of the hearing, the Court and the TV personnel were able to determine that the lighting in the courtroom was adequate for electronic videotape cameras. Some difficulty, however, was incurred with the sound recording. Judge Papadakos said the Court would permit TV technicians to make whatever unobtrusive courtroom adjustments that will be necessary.

Since this first experience, cameras have been operated in the courtrooms of Judges Bernard J. McGowan, S. Louis Farino, Marion K. Finkelhor, and I. Martin Wekselman. No problems have arisen in any of them. Judge Papadakos says everyone involved has been cooperative and there is no apparent effect on the courtroom.

According to the Civil Division's Administrative Judge, the citizens, witnesses and attorneys have revealed no adverse reaction to the cameras. He believes the presiding judge can continue to maintain courtroom decorum.

Under the Court guidelines, participants will be excluded from the camera coverage at their request. Judge Papadakos, however, places the responsibility for seeking that exclusion on the individual or his or her counsel. He does not offer it.

### CIVIL DIVISION

Age of Disposed Cases	1978	1979
Total Judge Days	1,643	1,657
Dispositions Per Judge Day	3.1	3.8

CIVIL DIVISION  
Statutory Appeals  
1978-1979

The Statutory Appeals listed below include appeals from rulings by the Zoning Hearing Board, rulings by the Workmen's Compensation Commission, Liquor Control Board decisions, appeals from suspensions of motor vehicle licenses, and various other appeals from administrative agencies. These cases are heard by a judge without a jury in the Civil Division.

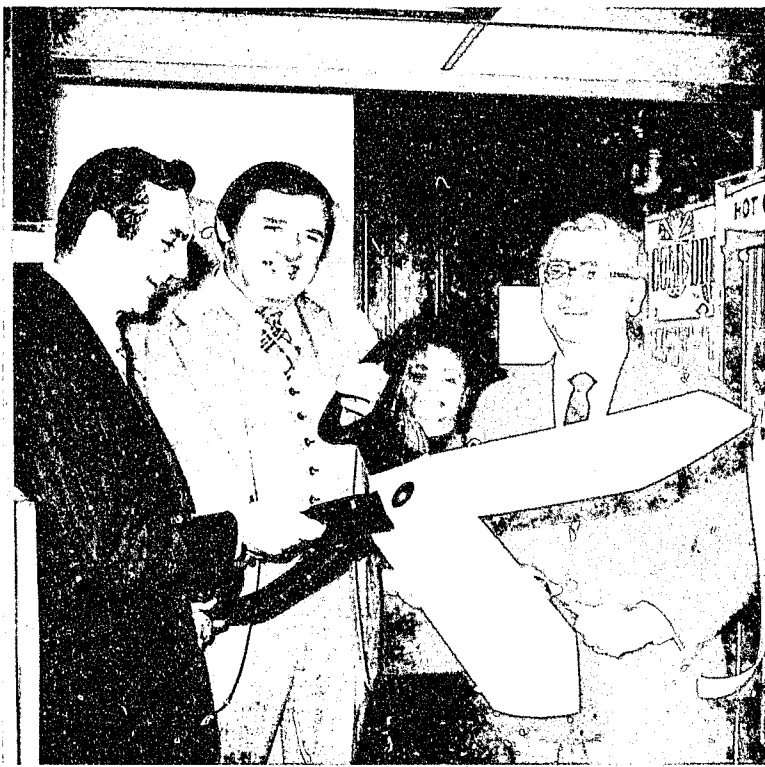
	1979				
	1978 Dispo- sitions	Cases Open 12/31/78	New Cases Filed	Dispo- sitions	Cases Open 12/31/79
Workmen's Compensation	5	11	1	6	6
Zoning Board	40	159	81	67	173
Civil Service	6	16	10	13	13
Motor Vehicle Code Suspensions	369	239	327	366	200
Liquor Control Board Appeals	42	34	28	43	19
Summary Conviction Appeals	715	602	786	769	619
Miscellaneous	91	124	122	101	145
TOTALS	1,268	1,185	1,355	1,365	1,175

	1978	1979	Percent of Change
New Cases Filed	1,410	1,353	-3.9%
Dispositions	1,268	1,365	+7.6%
Cases Pending	1,185	1,175	-.8%

PROTHONOTARY'S RECORDS

CASE FILINGS PER YEAR

	1975	1976	1977	1978	1979
Appeal Tax Assessments	46	82	91	53	77
Appointment of Viewers	228	240	124	89	143
Assumpsit	2039	1818	1733	1561	1450
Change of Name	156	145	165	143	137
Charter (Non-Profit Corporation)	4	6	5	0	0
Declaration of Taking (Eminent Domain)	186	189	123	116	91
Dissolution (Corporation)	1	0	0	0	0
Ejectment:					
Amicable	83	96	113	128	94
Complaint	383	48	59	55	51
Equity	572	614	685	707	744
Foreign Attachment	58	16	13	8	19
Mandamus	29	47	36	42	23
Mechanics Lien Complaint	39	28	21	25	34
Mortgage Foreclosure	468	475	491	566	670
Petition:					
Amend Tax Lien	55	44	8	22	43
Strike Tax Lien	103	109	26	26	17
Quiet Title	48	52	61	69	66
Replevin	141	145	124	201	146
Rule to Show Cause	295	280	286	327	399
Trespass:					
Complaint	2830	2530	2297	1888	1849
Writ of Summons	1935	1564	1147	888	971
Assumpsit and Trespass	433	454	440	405	591
TOTAL	10,132	8,882	8,048	7,319	7,615



GIANT SIZE CARDBOARD scissors are wielded by Common Pleas Court President Judge Michael J. O'Malley (left) and Chairman of the County Board of Commissioners Jim Flaherty at a symbolic ribbon-cutting ceremony for the opening of the new Jury Lounge in the Civil Division. Civil Division Administrative Judge Nicholas P. Papadakos and Mildred Montuoro also participated in the ceremony.

## LOUNGE OPENS FOR JURORS IN Civil Division

The County Commissioners last December joined with Common Pleas Court President Judge Michael J. O'Malley and Civil Division Administrative Judge Nicholas Papadakos to formally open the new Civil Division Jurors' Lounge on the 7th floor of the City-County Building.

The new lounge facility, which is similar to the Criminal Division Jurors' Lounge opened in November of 1978, has separate rooms for smokers and non-smoker.

The Commissioners said "the rooms were designed with the jurors' comfort in mind. Each room has a television set along with tables, chairs, magazines, rest rooms and vending machines for snacks, coffee and soft drinks."

According to Judge O'Malley, "The Criminal Division jurors' lounge has been extremely well received by the jurors and made their stay more comfortable."

A portion of the lobby area outside the jurors' lounge has been converted to a coatroom for the jurors.



CIVIL DIVISION  
ARBITRATION

1979

	<u>1978</u>	<u>1979</u>
Pending on January 1	8,659	7,815*
New Cases Filed	9,365	11,082
Transferred from Civil Division		639
Cases Disposed	10,253	10,517
Awards by Boards**	3,615	3,673
Disposed by Court under Rule 229(e)	1,480	1,478
Settlements, etc.	1,158	4,331
Purged cases***	4,000	1,035
Pending as of December 31	7,771	9,019
Appeals Filed	777	948
Rate of Appeals	21.5%	25.8%
Number of Arbiters Serving	2,358	2,448
Costs \$100/Day	\$235,800.00	\$244,800.00
Less Fees Paid by Parties on Appeal	-46,833.91	-64,548.30
Net Cost	\$188,966.09	\$180,251.70
Average Cost of Arbitrators per Case	\$ 56.27	\$ 49.07

\* 1978 Closing Figure Corrected

\*\* Awards include ex-parte and non-prossed cases

\*\*\* Thousands of cases are closed every year without notification to the Court, but are discovered and removed from the active inventory count in a yearly purge.

## MORE HEARINGS FOR BOARD OF VIEWERS

The nine member Board of Viewers is appointed by the Court of Common Pleas in Allegheny to conduct views and hearings, to make awards for property damage and to assess benefits for public improvements on private property.

While the number of views conducted by the Board in 1979 remained essentially the same as the previous year, there was a big increase in the number of hearings, from 181 in 1978 to 246.

The significance in the sewer contracts filed with the Board of Viewers is not so much the number of contracts, but the number of properties involved in each contract. One contract can and frequently does include hundreds of properties which must be viewed and hearings conducted by the Board.

One can track the development activity in Allegheny County through the sewer contracts filed with the Board of Viewers.

In 1979 the larger contracts and petitions filed with the Board of Viewers were for West Deer Township, McCandless Township, Jefferson Borough (involving 2,000 properties), North Fayette Township, Hampton Township, Kennedy Township, Shaler Township, Marshall Township, Bradford Woods Borough, Pine Township and Franklin Park Township.

Shown below is a summary of statistical reports of the Board of Viewers for the years 1976 through 1979:

	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>
Views by Board	231	153	143	141
Hearings	256	391	181	246
Schedule of Benefits & Damages	1	8	2	12
Final Reports	117	196	145	79
Settled	15	160	28	15
Supplemental Reports	2	6	2	0
Appeals to Court	102	87	71	51

## IN CRIMINAL DIVISION

# EARLY CONTROL of CASES MEANS Speedy TRIAL

The essentials of good court management, early and continuous control of cases, were pursued dilligently by the Criminal Division in 1979. The result has been most gratifying to the Judges, the professional and clerical staff and to the District Attorney and his staff.

Despite a three percent increase in the number of cases filed, there is no backlog of criminal cases in Allegheny County and the 104 day average in the disposition of Criminal Division cases achieved in 1978 was maintained.

During 1979 the number of criminal cases filed reached 7,609 as compared to 7,415 in the previous year. The number of cases disposed of totaled 7,507. There also was a 22.47% reduction in trial postponements.

The total number of active cases pending disposition on December 31, 1979 was 2,791. Of that total, 1,457 were defendants awaiting trial as compared to 1,484 at the end of 1978. Another 844 defendants were awaiting pre-trial conferences and 490 were awaiting sentencing.

Time limitations in the disposition of cases are imposed by law and the Rules of Criminal Procedure. The District Justice has 15 days to conduct a preliminary hearing and forward papers to the Clerk of Courts Office; a 45 day period follows in which the District Attorney screens cases and prepares for prosecution; and the defense attorney has another 45 days after formal arraignment to file pre-trial motions and prepare cases.

That totals 105 days, so the 1979 average of only 104 days between arrest and trial for the Criminal Division of Common Pleas Court means the criminal justice system in this County holds to a minimum the delays that exceed these time limitations. Indeed, even though Administrative Judge Robert E. Dauer believes the division the past two years has reached what he calls "an irreducible minimum of pending cases," he is reaching to close the gap even further.

(Cont. on Page 12)



COUNSELING CLIENTS is a time consuming, but necessary part of the job for Court Adult Probation officers like Thomas Mitchell. There are more than 60 probation officers and supervisors in this Court office.

## School for DRUNKEN DRIVERS

The motorist who becomes a highway accident statistic for the first time in Allegheny County because of driving while under the influence of alcohol is being diverted into a new educational/rehabilitation program designed to help first offenders avoid being repeaters.

Started in 1979 as the Driving While Intoxicated (DWI) program, its purpose is to prevent alcohol-related highway accidents through education, self awareness and, if necessary, treatment of the individual involved.

This is a joint effort within the Accelerated Rehabilitative Disposition (ARD) program conducted by the District Attorney and involves the Criminal Division of the Court of Common Pleas, the County's Mental Health/Mental Retardation Office Drug and Alcohol section and the Court's Adult Probation Office.

In the 11 months of operation in 1979 886 individuals were assigned to it by the Court.

The DWI program was established because of its potential as a more effective alternative to prosecuting and punishing first offenders. The goal is to reduce the number of alcohol related highway accidents and fatalities.

Forty percent of the 106 deaths that

### Adult Probation

The Adult Probation Office of Allegheny County supervises defendants in all felony and misdemeanor cases who are placed on probation and ARD (except those assigned to the State Probation Office by the Court) and all defendants who are placed on parole on sentences of less than two years. The office also conducts presentence and other types of investigations for the Court.

occurred on Allegheny County's highways in 1978 were alcohol-related, a rate that is slightly higher than the national average of one third of the traffic deaths being traced to the drinking driver.

The program for drinking drivers is not new. ARD has been dealing with this problem for several years in Allegheny County. The Alcohol Highway Safety Program of Pennsylvania, however, is the first instance where the curriculum and instructors have been certified by the Commonwealth and the program formally structured.

This DWI effort is Federally-funded through the State Department of

(Cont. on Page 15)

# CRIMINAL DIVISION

## Statistical Summary

	<u>1978</u>	<u>1979</u>
1. Defendants Pending - January 1		
(a) Defendants Awaiting Pre-Trial Conference	754	750
(b) Defendants Awaiting Trial	1,510	1,484
(c) Defendants Awaiting Sentence	496	463
TOTAL DEFENDANTS PENDING FIRST OF YEAR	<u>2,760</u>	<u>2,697</u>
2. Defendants Transcripts Received (Complaints Filed)	7,412	7,609
3. ADJUSTMENTS	<u>-93</u>	<u>-502</u>
4. Active Defendants in Calendar Year	<u>10,079</u>	<u>9,804</u>
5. Pre-Trial Dispositions		
(a) ARD	1,492	1,655
(b) Disposition in lieu of trial	2	1
(c) Information Quashed	14	6
(d) Nolle Prossed	1,673	1,276
(e) Dismissed	<u>326</u>	<u>207</u> *
TOTAL PRE-TRIAL DISPOSITIONS	<u>3,507</u>	<u>3,145</u>
6. Disposed Through Trial and Sentenced		
(a) Guilty by Jury	217	213
(b) Guilty by Court	688	604
(c) Guilty Plea or Nolo Contendere	2,518	2,658
(d) Probation Without Verdict	144	111
(e) Acquitted by Jury	141	103
(f) Acquitted by Court	101	106
(g) Demurrer Sustained	<u>66</u>	<u>73</u>
TOTAL TRIAL DISPOSITIONS	<u>3,875</u>	<u>3,868</u>
7. Defendants Pending-December 31		
(a) Defendants Awaiting Pre-Trial Conference	750	844
(b) Defendants Awaiting Trial	1,484	1,457
(c) Defendants Awaiting Sentence	<u>463</u>	<u>490</u>
TOTAL DEFENDANTS PENDING END OF YEAR	<u>2,697</u>	<u>2,791</u>

\*This does not include 420 cases dismissed under Rule 1901 due to case inactivity for at least two years.

## Early Control of Cases

(Cont. from Page 11)

In January, 1980, the Criminal Division, on an experimental basis, reduced the 45 day waiting periods between preliminary hearing and court arraignment and court arraignment and trial to 40 days each. If the District Attorney and Public Defender can comply with this time squeeze, the Court's Criminal Division could reduce the average case disposition to close to 90 days.

Reduction in the amount of Criminal trial delay is the result of the 180 day speedy trial rule of the Pennsylvania Supreme Court. But Judge Dauer also is motivated by his conviction that the United States Supreme Court soon will decide that criminal cases not brought to trial within 90 to 100 days are in violation of the defendant's constitutional right to a speedy trial.

(Cont. on Page 14)

## CRIMINAL DIVISION CASE FILINGS - RACE AND SEX ANALYSIS

1977-1978-1979

	<u>1977</u>	<u>1978</u>	<u>1979</u>
<u>SEX</u>			
Male	6756 ( 80%)	6016 ( 81%)	6271 ( 82%)
Female	953 ( 11%)	812 ( 11%)	820 ( 11%)
Unknown	759 ( 9%)	584 ( 8%)	518 ( 7%)
TOTAL	8468 (100%)	7412 (100%)	7609 (100%)
<u>RACE</u>			
Black	3085 ( 36%)	2617 ( 35%)	2662 ( 35%)
White	4069 ( 48%)	3959 ( 53%)	4240 ( 55%)
Unknown	1314 ( 16%)	836 ( 12%)	707 ( 10%)
TOTAL	8468 (100%)	7412 (100%)	7609 (100%)

# ADULT PROBATION OFFICE

	<u>PROBATION</u>	<u>PAROLE</u>	<u>TOTAL</u>
Total cases January 1, 1979	3,592	594	4,186
Received from Court during 1979	2,137	526	2,663
Discharged during 1979	1,612	485	2,097
Total cases December 31, 1979	4,117	635	4,752
ARD total cases January 1, 1979	2,293		2,293
ARD received from Court during 1979	2,356		2,356
ARD discharged during 1979	1,961		1,961
ARD total cases December 31, 1979	2,688		2,688
State supervision cases January 1, 1979	2,487	244	2,731
State cases received from Court during 1979	596	82	678
State cases discharged during 1979	144	34	178*
State supervision cases December 1, 1979	2,939	292	3,231

## Caseload breakdown of December 31, 1979

	<u>PROBATION/PAROLE</u>		<u>ARD</u>	
	<u>Cases</u>	<u>No. of Officers</u>	<u>Cases</u>	<u>No. of Officers</u>
Administrative Unit	1,889	4	700	1
Special Service Unit	444	9		
East Liberty Field Office	514	5	336	2
McKeesport Field Office	338	4	244	2
North Side Field Office	579	6	376	3
Oakland Field Office	411	4.5	257	2
South Side Field Office	569	5	844	4

## Investigation Reports

Presentence Investigation Reports	1,072
Judge's Special Reports	42
Parole Applications	34
Violation Reports	450
Other Reports	5
<b>TOTAL</b>	<b>1,603</b>

\*Total number discharged larger than shown exact number unknown at this time.

## THE MINOR JUDICIARY OF ALLEGHENY COUNTY

1 9 7 9

### TOTAL CASES DISPOSED OF\*

<u>Type of Case</u>	<u>Fined</u>	<u>Dismissed</u>	<u>Total</u>
Traffic	62,745	13,587	76,332
Summary	24,465	12,211	36,676
Civil			19,475
Criminal			<u>13,194</u>
	87,210	25,798	145,677

\*Excludes cases handled in Pittsburgh City Court.



# CRIMINAL DIVISION DETAILED CASE SUMMARY

Offense Category	PRE-TRIAL DECISIONS*											1979 VERDICTS RETURNED		
	Complaints Filed	Information Filed	Information Filed Charges Modified**	Nolle Prossed Requested	ARD	Disposition In Lieu Of Trial	Information Quashed	Nolle Prossed No Information Filed	Nolle Prossed Information Filed	Dismissed	Probation Without Verdict	Demurrer Sustained	Acquitted By Jury	Acquitted By Court
Murder	95	90	0	0	0	0	0	1	4	1	0	3	8	0
Manslaughter	21	22	0	1	0	0	0	1	3	3	0	1	0	3
Robbery	494	280	151	33	3	0	0	29	47	15	0	6	17	8
Aggravated Assault	376	132	169	51	8	0	1	52	29	9	0	7	24	12
Minor Assault	523	237	124	139	47	0	0	143	42	14	2	0	8	19
Burglary, Breaking/Entering	797	553	131	89	126	0	0	92	38	23	0	8	5	8
Larceny	618	431	81	59	146	0	0	53	27	12	1	9	4	6
Auto Theft	13	12	0	1	5	0	0	1	0	1	0	0	0	0
Embezzlement, Fraud	155	103	9	24	33	0	0	33	10	8	0	3	2	1
Stolen Property	306	189	51	47	61	0	0	47	22	18	0	5	4	7
Forgery/Counterfeit	258	134	64	45	55	0	0	44	18	5	0	1	0	1
Rape	152	67	38	11	0	0	0	22	7	0	0	2	9	2
Commercialized Vice	66	52	4	5	0	0	0	6	0	0	0	0	0	2
Other Sex Offenses	95	72	10	13	34	0	0	13	4	4	0	0	0	1
Narcotics/Drug Laws	606	346	135	51	5	0	0	52	36	13	99	0	2	3
Deadly Weapons	190	138	29	17	22	1	1	19	10	14	1	2	4	1
Non-Support/Neglect	7	6	1	0	0	0	0	0	0	0	0	0	1	0
Liquor Laws	40	32	2	6	11	0	0	7	3	0	0	2	0	1
Driving Intoxicated	1457	1367	39	25	930	0	2	25	12	4	0	3	2	16
Other Vehicle Laws	133	76	6	35	28	0	0	32	4	0	0	1	0	0
Disorderly Conduct, Vagrancy	115	47	15	50	12	0	0	50	4	2	2	4	1	0
Gambling	167	142	8	3	0	0	0	4	6	4	0	0	0	2
Surety of Peace	0	0	0	0	0	0	0	0	0	0	0	0	0	0
All Other Offenses	925	532	145	162	129	0	2	160	64	57	6	15	12	13
TOTAL	7609	5060	1212	867	1655	1	6	886	390	207	111	73	103	106

\* The District Attorney makes the final decision on offenses charged after holding a Pre-Trial Conference hearing with key prosecution witnesses

\*\*Includes those informations which have had some charges added and those which have had some charges nolle prossed

## Early Control of Cases

(Cont. from Page 12)

The Division's success in disposing of cases is credited by Judge Dauer to teamwork. He says the team effort in 1979 enabled the division to overcome such difficulties as a six week illness by one of the judges.

The Division's achievements were acknowledged in the August 20, 1979 issue of Time Magazine in its cover story on metropolitan court delay. A complimentary report also was issued by the National Center for State Courts. The latter sent investigators here during 1979. After studying the Criminal Division's judges, records and procedures it issued a report to the Chief Justice of Pennsylvania, declaring the Criminal Division's efforts to

be "first rate, perhaps one of the finest in the nation."

During 1979 the One Day/One Trial Jury System in Allegheny County continued to be a successful innovation. A better cross-section of jurors was achieved, and although more jury cases were tried at less expense to the taxpayers, in the opinion of judges and attorneys, better juries were the result.

Despite the increase in trials there was a savings of \$140,354 in juror fees during 1978 and \$166,852 in 1979 over the amount spent in 1977.

Last year also saw considerable improvement in the payment of restitution, fines and court costs. The Court holds weekly hearings for individuals who have refused or neglected to meet these court-imposed obligations.

In 1979 there were 1,828 delinquents

who paid in full or made new payment plans on costs and fines amounting to \$419,848 and on restitution amounting to \$536,602. In 1978 there were 713 delinquents whose payments totalled \$205,177 in costs and fines and \$224,615 in restitution.

The success of the Criminal Division's Accelerated Rehabilitative Disposition (ARD) program has attracted the interest of courts across the state, with several of them adopting Allegheny County's procedures. A total of 1,653 criminal defendants were placed on ARD by the Court in 1979 as compared to 1,492 in 1978. Only six percent of those placed committed a second crime, and most of these were alcoholics charged with drunken driving.

It is the expectation of the Court and the County that the new Alcohol Highway Safety Program initiated in 1979 will result in an even lower recidivism rate for drunken drivers in the future.

Guiltily By Jury	Guiltily By Court	Guiltily Plea or Nolo Contendere	Probation	Institutionalized	Suspended/ Costs/ Fine Only
37	7	20	8	25	0
2	2	9	9	2	0
36	46	243	153	137	39
22	50	115	143	32	20
18	60	117	141	18	36
21	95	403	342	93	77
10	54	215	177	58	43
0	1	5	3	3	0
4	11	41	41	5	6
9	25	86	75	22	20
6	11	73	68	8	15
17	12	55	28	23	16
3	11	27	21	4	18
3	9	25	21	7	6
5	36	277	270	18	28
20	26	95	95	19	17
0	4	4	6	2	0
0	0	8	0	0	6
3	73	395	399	9	39
1	7	39	21	2	21
3	8	31	26	5	10
1	16	134	25	1	122
0	0	0	0	0	0
19	45	267	247	50	74
240	609	2685	2319	543	613

## School for DRUNKEN DRIVERS

(Cont. from Page 11)

Transportation's "Alcohol Highway Safety Program" which provided the County MH/MR Office \$133,955 for three years.

Under the program first offenders who are charged with driving while intoxicated in Allegheny County are placed in the (ARD) system for first offenders of non-violent crimes.

Diagnosis and evaluation of the individual follows and attendance at 15 hours of safe driving school is required. Those who are identified as problem drinkers also are required to undergo appropriate treatment. The educational program and treatment are provided at five regional alcoholism centers in the County.

Defendants who successfully complete the DWI program and satisfy the conditions imposed by the Court can earn the dismissal of the charges. They are, however, required to pay the \$125 court

costs and \$75 for the safe driving classes.

Directing the motorist with a drinking problem into this program puts the offender into the treatment process at an early stage and removes burdensome cases from the court docket. A much longer period of time is involved when a defendant goes to trial. Indeed, it could involve years because of the possibility of appeals. Meanwhile, the defendant continues to both drink and drive and undergoes no treatment.

The Driving While Intoxicated program is directed at solving a problem that to date has defied solution. It's success however, will not be measured in terms of arrests and convictions, but to the degree it contributes to safer highways.

# DISTRICT COURT OF ALLEGHENY COUNTY

1977\* - 1978\* - 1979\*

	CASH RECEIPTS FROM DISTRICT COURTS			1978-1979 Increase or Decrease**
	1977	1978	1979	
<b>VIOLATION CASES</b>				
Municipalities	\$ 934,044.40	\$1,190,405.07	\$1,499,507.44	\$ 309,102.37
Commonwealth of Pennsylvania	1,688,217.85	1,916,217.85	2,137,380.46	221,104.02
County of Allegheny	445,534.24	492,005.15	549,219.86	57,214.71
Other Liabilities	285,551.08	472,659.77	631,848.87	159,189.10
<b>TOTAL RECEIPTS-VIOLATION CASES</b>	<b>\$3,353,347.57</b>	<b>\$4,071,346.43</b>	<b>\$ 4,817,956.63</b>	<b>\$ 746,610.20</b>
<b>CIVIL CASES</b>				
County of Allegheny	\$ 235,231.36	\$ 267,759.08	\$ 290,011.61	\$ 22,252.53
Other Liabilities	864,908.81	916,891.28	891,167.01	(25,724.27)
<b>TOTAL RECEIPTS-CIVIL CASES</b>	<b>\$1,100,140.17</b>	<b>\$1,184,650.36</b>	<b>\$1,181,178.62</b>	<b>\$ ( 3,471.74)</b>
<b>TOTAL CASH RECEIPTS</b>	<b>\$4,453,487.74</b>	<b>\$5,255,996.79</b>	<b>\$5,999,135.25</b>	<b>\$ 743,138.46</b>
<b>COUNTY OF ALLEGHENY</b>				
Receipts-Violation Cases	\$ 445,534.24	\$ 492,005.15	\$ 549,219.86	\$ 57,214.71
Receipts-Civil Cases	235,231.36	267,759.08	290,011.61	22,252.53
Fines	37,368.42	71,895.51	112,892.42	40,996.91
Adjustments	35.00	8.00	10.30	2.30
<b>TOTAL CASH RECEIPTS (FINES &amp; COSTS)</b>	<b>\$ 718,169.02</b>	<b>\$ 831,667.74</b>	<b>\$ 952,134.19</b>	<b>\$ 120,446.45</b>
	<b>EXPENSES OF DISTRICT COURTS</b>			
Salaries	\$ 597,254.17	\$ 698,731.00	\$ 811,069.00	\$ 112,338.00
Miscellaneous Services (Rent, Telephones, Postage, Etc.)	330,142.01	393,098.00	425,573.00	32,475.00
Supplies	18,216.84	19,639.00	30,351.00	10,712.00
Repairs	1,564.58	2,166.00	3,167.00	1,001.00
Equipment (Office Furniture & Fixtures)	15,064.28	12,395.00	19,330.00	6,935.00
Travel, Insurance, Accounting, Etc.	0	9,898.00	8,921.00	( 977.00)
<b>TOTAL EXPENSES</b>	<b>\$ 962,241.88</b>	<b>\$1,135,927.00</b>	<b>\$1,298,411.00</b>	<b>\$ 162,484.00</b>
<b>OPERATING LOSS FOR ALLEGHENY COUNTY</b>	<b>\$ (244,072.86)</b>	<b>\$ (304,259.26)</b>	<b>\$ (346,276.81)</b>	<b>\$ (42,017.55)</b>

\*NOTE: Base figures were provided by the Allegheny County Controller

\*\*NOTE: Decreases are indicated in parenthesis

## 145,677 Caseload in 1979 for Minor Judiciary

Fifty-one District Justices handled the business of 55 District Courts in Allegheny County during 1979, with four of the offices closed because of vacancies.

The caseload for the year reached 145,677, which is an increase of 1,645 cases over the 144,032 caseload of 1978. There was, however, a big increase in the District Courts' total cash receipts for the fines and costs that were collected in 1979.

The amount collected, \$5,999,135.25, was \$743,138.46 more than collected in 1978.

The District Justices' major types of cases include traffic citations, non-traffic citations, civil disputes under \$2,000, landlord/tenant proceedings and preliminary arraignments and hearings for criminal cases.

### COMPARATIVE ANALYSIS OF TOTAL CASES DISPOSED\*

1970	51,953
1971	70,139
1972	76,771
1973	85,209
1974	119,003
1975	140,754
1976	133,922
1977	134,533
1978	144,032
1979	145,677

\*Excludes cases handled in Pittsburgh City Court

The latter is perhaps the Minor Judiciary's most important function. This is the beginning of the Criminal Justice System process and it is at this initial level where an individual's right to a speedy disposition of his case must be recognized and attended to by the District Court.

### INCONSISTENCY in 1978 Jury Verdicts

In order to correct any misunderstanding that might have arisen from the 1978 Annual Report's Criminal Division statistics for Guilty Verdicts by Juries the following explanation is offered.

In 1978's Report the total number of Guilty by Jury figure is 230 on Pages 5, 18 and 20, but on Page 15 of the Report under the category "Disposed Through Trial and Sentenced" the total Guilty by Jury figure is 217.

(Cont. on Page 17)

# Behavior Clinic Psychiatric Exams INCREASE

The number of psychiatric examinations performed by the Behavior Clinic in 1979 increased by a significant margin over the total number of examinations in 1978. The 1979 total of 1,619 was 283 more than the 1,336 performed in the previous year.

In 1979 the Behavior Clinic presented 198 petitions for involuntary commitment to the Criminal Division. The petitions were for inmates in the Allegheny County Jail who have been arrested and are awaiting trial.

The hearings that followed resulted in 196 commitments to Fairview State Hospital, Mayview State Hospital and in a few instances Woodville State Hospital.

Selection of the institution is made on the basis of the crimes with which the defendant is charged and the recommendation of the psychiatrist. Fairview is the only maximum security State hospital. The forensic unit at Mayview is a ward that is locked and supervised. Woodville has no forensic unit, so only the least potentially dangerous defendants who have been charged with minor crimes may be committed there.

## MISDEMEANOR AND FELONY COMPLAINTS

1979

Major Assault	645
Minor Assault	1,559
Rape	148
Other Sexual Offenses	251
Burglary	627
Robbery	252
Theft	1,527
Embezzlement & Fraud	278
Receiving Stolen Property	678
Forgery	293
Nonsupport & Neglect	14
Disorderly Conduct	772
Gambling	123
Commercialized Vice	9
Firearms	207
Driving While Intoxicated	1,400
Other Motor Vehicle Court Cases	422
Narcotics/Drug Laws	664
Liquor Law Violations (Court Cases)	127
Surety of the Peace	121
All Other Court Cases	<u>3,077</u>
TOTAL CASES	13,194
Cases Held for Court	<u>6,086</u>
Cases Dismissed	7,108

## CRIMINAL DIVISION Behavior Clinic

### PSYCHIATRIC EXAMINATIONS 1977-1978-1979

	1977	1978	1979
Remands*	126	135	118
Murder	72	117	211
Manslaughter	1	0	0
Robbery	14	42	42
Aggravated Assault	47	63	93
Minor Assault	34	36	43
Burglary, Breaking/Entering	41	51	54
Larceny	2	0	0
Auto Theft	7	6	12
Embezzlement/Fraud	0	0	0
Stolen Property	6	9	13
Forgery/Counterfeit	3	3	2
Rape	84	86	111
Commercialized Vice	0	0	0
Other Sex Offenses	107	112	182
Narcotics/Drug Laws	13	19	4
Deadly Weapons	6	2	0
Non-Support/Neglect	5	0	0
Liquor Laws	0	0	0
Driving Intoxicated	5	10	12
Other Vehicle Laws	6	2	1
Disorderly Conduct/Vagrancy	44	58	58
Gambling	0	0	0
Surety of Peace	0	1	0
All Other Offenses	168	259	357
Commitments to Mental Hospitals	189	125	126
Administrative Cases	7	0	0
Court Orders for Discharge of Mental Prisoners	95	105	102
Violation of Parole/Probation	22	51	39
Rule 64	8	5	1
Arson	21	39	38
TOTAL	<u>1,133</u>	<u>1,336</u>	<u>1,619</u>

\*NOTE: Convicted persons are remanded by the trial judge to the Behavior Clinic for psychiatric examinations prior to sentencing whenever it is deemed appropriate.

## INCONSISTENCY IN 1978 JURY VERDICTS

(Cont. from Page 16)

This latter figure is limited to cases where there was a verdict reached by a jury and a sentence handed down. The 230 total on Pages 18 and 20 of the 1978 Report, however, includes 13 additional cases where the verdict was reached, but sentence was not imposed during the 1978 calendar year.

# BONDS POSTED IN 1979\*

BOND AMOUNT	NOMINAL/ROR	PROPERTY	CASH	10%	SURETY	TOTAL	PERCENTAGE
None	3,576					3,576	63.2%
\$500 or less			20	182	5	207	3.6%
\$501 - 1,000		2	8	634	86	730	12.9%
\$1,001 - 2,000		2	13	361	109	485	8.6%
\$2,001 - 5,000		10	12	319	189	530	9.4%
\$5,001 - 10,000		7	9	26	47	89	1.6%
\$10,001 - 20,000		4	3	3	9	19	.3%
\$20,000 or more		4	3	6	10	23	.4%
TOTAL	<u>3,576</u>	<u>29</u>	<u>68</u>	<u>1,531</u>	<u>455</u>	<u>5,659</u>	<u>100.0%</u>
	63.2%	.5%	1.2%	27.1%	8.0%	100.0%	

\*These do not include the bonds on cases disposed of by District Justices or City Court.

## Bail Forfeiture Rate Near National Average

There were 13,637 preliminary arraignments involving the setting of bail by city magistrates and district justices which were handled by the Allegheny County Bail Agency in 1979. A total of 1,099, or 8.2% were appealed to the Criminal Division of Common Pleas Court.

A total of 1,101 criminal defendants failed to appear when required in 1979, resulting in the forfeiture of their bail. Bail was reinstated or the defendants were apprehended in 804 of these instances, while 297 remained at large at the end of the year.

Comparisons with figures of other years would be inappropriate because of the Court's new policy of forfeiting bail when a defendant fails to confirm counsel.

The forfeiture rate of 5.4% compares favorably with other jurisdictions, but in order to sustain this rate or improve upon it the Criminal Division and the Bail Agency will have to continually monitor all bail.

The Court is unable to do anything about insufficient bail unless a petition to increase it is presented by the office of the District Attorney.

### COURT BAIL AGENCY BOND FORFEITURE ANALYSIS

YEAR OF SUBPOENAED HEARING	FAILED TO APPEAR			BOND REINSTATED, DEFENDANT APPREHENDED, OR OTHERWISE SETTLED				REMAINING BOND FORFEITURES	
	TOTAL	SURETY	BAIL AGENCY*	1976	1977	1978	1979	SURETY	BAIL AGENCY
1976	1009	194	815	668	0	0	0	24	159
1977	715	59	656	130	439	0	0	9	144
1978	705	69	636	28	123	483	0	20	202
1979	1101	95	1006	14	20	71	804	22	275
	3530	417	3113	840	582	554	804	75	780

\*Includes all cases except those involving bonds posted by a commercial surety company.

## CONTESTED

## Adoptions,

## Civil Commitments

## ON THE INCREASE

Increases in contested adoptions, contested civil commitments and in matters concerning the care and treatment of the infirm are adding to the workload of the Orphans' Court Division.

There are increasing numbers of attorneys appearing before the Division, either formally or to ask questions seeking the guidance of this Division. The traditional role of Orphans' Court, which is the administration of the decedents' estates, is therefore expanding.

The number of adoptions continues to increase annually. There were 488 of them in 1979, a slight increase over the 1978 total of 454. Relatives, including step-parents, adopted 261 of these individuals and 227 were adopted by non-relatives.

The latter includes 159 who were placed by agencies such as Allegheny County Children & Youth Services and 68 non-agency placements through the clergy, physicians and attorneys.

More than half of the adoptions involved children who were one to two years of age and between five and nine years. Adoptions by age statistics for 1979 are:

Under one year	52
One to two years	134
Three to four years	46
Five to nine years	135
Ten to seventeen years	98
Eighteen and over	23

Another large increase in the work of the Orphans' Court Division in 1979 was in the total number of decrees and commitments to mental institutions. This figure increased from 5,284 in 1978 to 6,621 in 1979. There were 2,415 hearings scheduled for these commitments.

In 1979 the Orphans' Court Division also began hearing the 665 petitions presented the previous year seeking appointment of guardians under the Vecchione decision of the United States District Court in Philadelphia. The Court mandated in this decision the appointment of guardians for all long term residents of State hospitals.

A total of 559 decrees were entered following hearings at the State Hospitals. It originally was believed the Vecchione matters would involve only one petition. The Orphans' Court, however, is beginning to receive petitions

### Orphan's Court

The functions of the Orphans' Division are divided into four areas. These are:

Adoptions (voluntary relinquishments and involuntary terminations)

Mental Health Procedures Act Commitments

Incompetency Matters  
Probate and administration of decedents' estates

#### AUDIT HEARINGS OF ACCOUNTS:

	1978	1979
Accounts filed by Executors, Administrators Trustees and Guardians	2,816	2,739
Small Estates (\$10,000 and less)	898	851
<b>TOTAL DECREES OF DISTRIBUTION</b>	<b>3,714</b>	<b>3,590</b>

#### HEARINGS:

Hearings on claims of creditors against estates, exceptions to accounts and questions of distribution involving construction of testamentary writings	126	141
Appeals from Decrees of the Register of Wills in grant of Letters of Administration, Will Contests, Inheritance Tax Appraisals and Assessments	46	31
Annulment of spouses' election to take against the Will	6	4
Will Contests	0	19
Sales of real estate on Citation and Return day	32	24
Miscellaneous hearings, including presumed decedents, absentees, correction of birth and marriage records	38	38
Proceedings against Fiduciaries	287 *	58
Hearings on delinquent transfer Inheritance Tax due	0	347
<b>TOTAL</b>	<b>535</b>	<b>662</b>

\*Includes 218 Petitions filed by the Attorney General and citations awarded against fiduciaries to show cause why they should not file transfer inheritance tax inventories and/or pay transfer inheritance tax due.

INCOMPETENTS' ESTATES:	1978	1979
Petitions for adjudication of incompetence and appointment of guardians	925	296 *
Petitions for adjudication of competency and discharge of guardians	6	5
Petitions for adjudication withdrawn, dismissed, etc.	27	27
Petition for Writ of Habeas Corpus	0	1
Petition for Withdrawal of Counsel	0	1
Petitions or Short Orders for allowances in incompetents' estates presented, investigated, and decreed	182	163

\*NOTE: During 1979 there were hearings on Vecchione Petitions, which had been presented in 1978, before the Master James C. Kuhn, III, Esquire. These hearings were at various State Hospitals and resulted in 559 Decrees.

#### CIVIL COMMITMENTS:

Hearings involved in the entering of decrees	<u>2,102</u>	<u>2,415</u>
Petitions presented		2,120
Petitions withdrawn, discontinued, dismissed, or continued generally	503	520
Decrees entered	825	2,508
Other Orders**	2,085	1,111
Miscellaneous	<u>0</u>	<u>2</u>
TOTAL ORDERS OR DECREES	5,284	6,261

\*\*NOTE: These include orders of Court appointing counsel for Respondent, continuing hearings, postponing hearings, ordering filing of Doctor's Reports, ordering transfers of patients from one facility to another or to outpatient states, etc. Each order represents a meeting of a Judge of this Court Division with an attorney or a clerk of this Court.

#### ORPHANS' COURT DIVISION

<u>MENTAL HEALTH PETITIONS</u>	<u>1978</u>	<u>1979</u>	<u>Percent of change</u>
Cases Filed During Year	1,830	2,120	+ 17.3
Cases Disposed During Year	1,635	3,028	+ 46.1

#### ADOPTION PETITIONS

Cases at Issue Pending January 1	44	135	+207.0
Cases Filed During Year	680	634	- 6.8
Cases Disposed During Year	589	654	+ 10.1
Cases at Issue Pending December 31	135	51	- 62.0

#### ORPHANS' COURT AUDITS

Cases at Issue Pending January 1	243	237	- 2.0
Cases Filed During Year	2,816	2,144	- 23.9
Cases Disposed During Year	2,822	4,249	+ 51.0
Cases at Issue Pending December 31	237	256	+ 7.5



PETITIONS FILED:	<u>1978</u>	<u>1979</u>
Additional bonds in sale of Real Estate	350	277
Appointment of Guardians of Estates of Minors	63	58
Appointment of Guardians of the Person of Minors	61	89
Lifting of Suspensions of Distribution	81	67
Sale of Real Estate	155	136
Petitions and Citations against Fiduciaries to file accounts or to show cause why they should not be removed, etc.	185	163
Petitions filed by the Attorney General and citations awarded against fiduciaries to show cause why they should not file Transfer Inheritance Tax inventories and/or pay Transfer Inheritance Tax due (Figure included under HEARINGS)	0	347
Miscellaneous Petitions and Motions	<u>978</u>	<u>1,007</u>
TOTAL	1,873	2,144

#### ARGUMENTS:

Exceptions heard by Court en banc	76	57
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#### PETITIONS FOR ALLOWANCE FROM MINORS' ESTATES

Presented, Investigated, and Decreed	118	96
Opinions filed by the Court	0	91

#### COMPARATIVE STATISTICS ON ADOPTIONS

<u>DECREES</u>	<u>1978</u>	<u>1979</u>
Adoption Decrees Entered	406	439
Voluntary Relinquishment Decrees	160	155
Involuntary Termination Decrees	64	60
TOTAL DECREES ENTERED	<u>630</u>	<u>654</u>

<u>PETITIONS</u>		
Adoption Petitions	413	428
Voluntary Relinquishment Petitions	169	146
Involuntary Termination Petitions	75	60
TOTAL PETITIONS PRESENTED	<u>657</u>	<u>634</u>

<u>ORDERS OF COURT</u>		
On all petitions presented	657	634
Continuing hearings, amending the record, directing publication, accepting jurisdiction, permitting interrogatories	1,096	1,241
Minors Allowances	<u>118</u>	<u>96</u>
TOTAL ORDERS OF COURT SIGNED	1,871	1,971
COMBINED TOTAL DECREES & ORDERS SIGNED	2,501	2,625

## CONTESTED ADOPTIONS, CIVIL COMMITMENTS ON THE INCREASE

(Cont. from Page 19)

for the distribution of funds held by the Commonwealth as guardian of the estates of Vecchione respondents. This has resulted in an increase in responsibility for the Division.

In addition to the Vecchione cases, Orphans' Court received 330 petitions in other incompetency matters and 163 petitions for allowances in incompetents' estates were presented, investigated and decreed.

In estate administration activity there was a marked increase in the number of hearings conducted by the Division in 1979. The total was 662, a 19% increase over the 535 hearings conducted in 1978. More than half of these 1979 hearings, 347, involved delinquent transfer inheritance tax due.

In addition to these 662 designated hearings, there were many hearings from the contested motion list. All of the Exceptions determined by the court en banc were determined either by Opinion of the court en banc or an Opinion of the trial judge.

Each judge in the Orphans' Court Division also disposes of his or her contested matters by Opinion.

# 10 YEARS of GROWING in Family Division

As the decade of the 1970's came to its conclusion the Family Division's Adult Section continued to experience the sort of growth that has occurred throughout the decade in the number of cases coming before it, increasing dispositions and the handling of larger and larger collection and disbursement support monies.

Cases filed totalled 12,347, an increase of 1,540 (or 17 percent) over 1978, and there were 13,822 dispositions, which is 106 more over the previous year.

The increase in enforcement activity is equally significant. The 21,883 support orders received in 1979 reveal an increase of 1,370 orders over 1978 and the 2,748 wage attachments issued in 1979

are an increase of 664 more than in the previous year. Amount of money involved in these 1979 wage attachments was \$8,336,961.53.

In addition to the greater number of wage attachments issued as the result of the Domestic Relations staff's review of these support orders, there were 1,945 rules to show cause why the defendant should not be held in contempt prepared for court hearing. In 1978, 1,393 were prepared for court hearing.

This action occurs when a defendant is delinquent in support payments and either is self-employed or the employer is unknown.

(Cont. on Page 23)

## FAMILY DIVISION Adult Section

### ENFORCEMENT ACTIVITY

Support Orders Received	21,883	
Rule To Show Cause (Contempt)	1,945	
Wage Attachments Issued	2,748	\$8,336,961.53
Telephone Contacts regarding Wage Attachments	2,862	
URES A Arrears Letters to Other Courts		
Dollar Amount forwarded to DPW		2,956,371.86

### CASES PENDING

	1978	1979	Percentage Differences (+ -)
Support	992	2,998	+202%
Custody/Partial Custody	205	214	+ 4%
Protection from Abuse	13	16	+ 23%
Divorce	111	324	+192%
Equity/Partition	30	88	+193%
TOTAL	1,351	3,640	

## Family Division

Organized into Adult and Juvenile Sections, the Family Division has jurisdiction over cases involving family matters.

The Juvenile Section is concerned with cases involving dependent and neglected children under age 18 and delinquent youths whose alleged offenses occurred before their 18th birthday. Jurisdictions for delinquents, however, can extend to their 21st birthday. The Juvenile Section consists of its judges and support offices. Not part of the Court, but related to it, is the Shuman Center detention home. The Shuman Center is under the direction of a Board of Managers which is appointed by the Common Pleas Court of Judges.

The Adult Section has jurisdiction in family matters that involve proceedings between husband and wife or other adult family members with regard to their rights and duties to one another and their children. The types of cases which come before the Adult Section are:

Non-support of spouses, indigent parents and children, including children born out of wedlock;

Habeas Corpus and complaints for custody of children, partial custody, visitation and matters related thereto;

Divorce and annulment, property matters relating thereto, accounting and partition of real and personal property before and after divorce;

Protection from abuse;

Equity action between members of the family (spouses, children, grandparents and adopted or non-martial children.)

# 10 YEARS of GROWING in Family Division

Percentage  
Differences  
(+ -)

(Cont. from Page 22)

<u>CASES FILED:</u>	<u>1978</u>	<u>1979</u>	
New Support and URESA (Uniform Reciprocal of Enforcement of Support Act)*	4,603	5,371	+17%
Custody/Partial Custody	392	665	+70%
Protection from Abuse	456	640	+40%
Divorce	5,242	5,489	+ 5%
Equity/Partition	114	182	+59%
<b>TOTAL</b>	<u>10,807</u>	<u>12,347</u>	

The Division also reviewed 3,833 existing cases for the purpose of modification (reductions, increases and suspensions).

<u>CASES DISPOSED:</u>			
New Support Cases and Reviews of Existing Cases	7,295	7,208	- 1%
Custody/Partial Custody	889	656	-26%
Protection	456	637	+28%
Divorce	5,131	5,197	+ 1%
Equity/Protection	145	124	- 14%
<b>TOTAL</b>	<u>13,916</u>	<u>13,822</u>	

In the area of parent locator efforts in 1979, the Family-Adult Division filed 436 parent locator service forms with the State Department of Public Welfare (DPW) after the Court staff was unable to locate the parents locally. A total of 318 of these forms were returned to the Court with addresses for the parents, but DPW was unable to locate 537 of the individuals who have family support obligations, including 419 requests filed in 1978.

There was an increase of 11 percent in the collection and disbursement of Support monies in 1979, from \$20,325,679 in 1978 to \$22,532,147, a growth of more than \$2.2 million.

The Family Division-Adult Section also forwarded to DPW by messenger \$2,956,371.86. This is money collected from absent parents for support of plaintiffs who receive welfare payments. While this money is returned to DPW as reimbursement for these payments, the Court receives a 15 percent commission for its collection efforts. In 1979 this amounted to \$443,455.65 and it is used to help finance Family Court operations.

Support cases are scheduled at the rate of 40 per day, four days a week. Custody, equity, partition and protection from abuse cases, however, require considerably more time in their disposition. They average two court days per case.

Below is a breakdown of divorce cases heard before Masters during 1979.

<u>CONTESTED</u>	<u>UNCONTESTED</u>	<u>INDIGENT</u>	<u>NON-INDIGENT</u>	<u>DIVORCES GRANTED</u>
110	5,087	884	4,313	4,873
<u>5,197</u>		<u>5,197</u>		

Number of divorce cases pending December 31, 1979--324

SCHEDULING CASES--Interval of time between filing of case and hearing date.

The Scheduling interval between the time a case is filed by the Intake Counselor and the date listed for a conference with a Domestic Relations Officer and/or the Court, is as follows:

	1979
Scheduling Interval Between Filing New Support Cases and Hearing Counselor and/or Court Hearing:	8 Weeks
Scheduling Interval Between Petitions for Modifications of Existing Order and Court Hearing:	8 Weeks
Scheduling Interval Between Custody/Equity Cases and Court Hearing:	5 Months
Scheduling Interval for Protection from Abuse	Immediately On Filing
Scheduling Interval for Final Hearing on Protection from Abuse	Not More Than 10 Days



AFTER 11 YEARS of service, Lawson Veney (second from left) retired in 1979 as the Director of Services for the Juvenile Section of the Family Division. On the occasion of his retirement Judges Livingstone M. Johnson (left) and (left to right) Judges Patrick

Tamilla, R. Stanton Wettick and President Judge of Common Pleas Court Michael J. O'Malley presented Mr. Veney with a plaque that noted his achievements.

#### COLLECTION AND DISBURSEMENT OF SUPPORT MONIES

	<u>Total Received &amp; Disbursed</u>	<u>% Increase/Prior Year</u>
1979	\$22,532,147	+11%
1978	20,325,679	+14%
1977	17,828,893	+ 8%
1976	16,510,637	+11%
1975	14,899,485	+18%
1974	12,593,076	+23%

\*Cases involving individuals residing out of County or out of State

# 5613 REFERRALS TO JUVENILE SECTION IN 1979

In the Juvenile Section of the Family Division 5,613 delinquent referrals were disposed of in 1979, which was only 17 less than the Juvenile Section disposed of in 1978.

The Court also disposed of 959 dependent referrals in 1979, an increase of 124 over 1978.

The intake/probation levels of the Section disposed of 1,336 of these referrals through the withdrawal of complaints, other adjustments and referrals to other agencies and authorities.

But 4,277 of the referrals were disposed of through formal Court hearings, an increase of 466 over the number of hearings conducted in 1978.

Burglary and criminal trespass was by far the largest single category of delinquent behavior to come before the Juvenile Section in 1979. A total of 1,010 of the 5,613 dispositor , or 18 percent, were referrals involving infractions or alleged infractions of this nature.

There was another 10 percent or 579 referrals for simple assault, 492 thefts of \$50 or more, 371 referrals involving unauthorized use of motor vehicles, 350 cases of possession and sale of marijuana and alcohol and 299 referrals for criminal mischief.

In pursuit of its goal to rehabilitate juvenile offenders through counseling and the use of probationary supervision, the Juvenile Section only turns to institutionalizing the children who come before it when circumstances leave no other choice. In 1979 this resulted in the commitment of 277 to public institutions and 360 to private institutions. Another 104 were committed to group homes and foster homes.

In fulfilling its responsibility to dependent children who were referred to the Juvenile Section, 159 referrals were disposed of through the intake department. Seventy-four (74) of these dispositions were accomplished through referral to a social agency, three to school authorities and 23 to other authorities. Another 52 referrals were adjusted and seven were withdrawn.

Of the 959 referrals that were disposed of through a court hearing, 785 were referred to the Allegheny County Department of Children and Youth Services. There were 11 commitments to mental institutions, 92 dismissed and 59 discontinued, while another 12 referrals involved miscellaneous orders.

1979

FAMILY DIVISION

JUVENILE SECTION

DELINQUENT AND DEPENDENT CASELOAD  
AS REPORTED BY THE PROTHONOTARY

CASE PENDING - JANUARY 1, 1979	812
Awaiting Hearing	294
Continuations	248
Deferred Dispositions	270
NEW CASES FILED	4611
New	2700
Recurrent	1900

CASES DISPOSED OF	4809
Commitments	779
CWS Supervision	920
Probation	779
Informal Probation	339
Suspended Commitment	276
Dismissed	1063
Discontinued	586
Consent Decree	21
Transfer to Crimnal Division	11
Transfer to Other County	45

CASES PENDING - JANUARY 1, 1980	614
Awaiting Hearing	133
Continuations	193
Deferred Dispositions	283

## NEW HOME AT AN Old Address

Renovation began in late 1979 on the first and second floors of the Juvenile Court Building in Oakland to prepare for the return of the Juvenile Section judges of the Family Division and provide new facilities for the Juvenile Administration staff.

The judges chambers and courtrooms were moved to Shuman Center in 1975 as a temporary measure while new quarters were to be prepared in downtown Pittsburgh. Later, however, the decision was made to return the judges to the original Oakland site where new facilities would be provided.

The first floor of the building at 3333 Forbes Avenue now

includes chambers and court-rooms for three judges and a courtroom for the master; public waiting room; and offices for Court support personnel such as the Sheriff Deputies and Court Reporters.

When completed the second floor, or administrative level, will include the Administration Office, the Intake Department, Investigation unit, Foster Home Department and the Stenographic and administrative Services departments, Bookkeeping, Registration, Calendar Control and the Prothonotary.

The Intake Department initiates contacts with the Juvenile

(Cont. on Page 27)

### SEX AND RACE ANALYSIS OF DISPOSITIONS

SEX	1977	1978	1979
Male	5,042 (80%)	4,821 (86%)	4,759 (85%)
Female	1,240 (20%)	809 (14%)	854 (15%)
TOTAL	6,282	5,630	5,613
RACE			
Black	2,469 (39%)	2,060 (37%)	2,188 (39%)
White	3,813 (61%)	3,570 (63%)	3,406 (61%)
Other			19
TOTAL	6,282	5,630	5,613

# 1979 INFORMAL DISPOSITIONS BY INTAKE/PROBATION DEPARTMENT

	Number	Percent
Withdrawn	87	6
Adjustment	805	60
Warning Letter	35	3
Referral to Social Agency	40	3
Referral to Other Authorities	358	27
Intrastate Courtesy Supervision	11	1
TOTAL - INTAKE PROBATION	1336	100

## 1979 DISPOSITIONS AT FINAL COURT HEARINGS

Dismissed	950	22
Discontinued	600	14
Consent Decree	20	-
Probation	770	18
Informal Probation	327	8
Suspended Commitment	206	5
Commitment - Public Institution	277	7
Commitment - Private Institution	360	8
Commitment - Group Homes and Foster Homes	104	2
Day Treatment	200	5
Certified	14	-
Other	449	11

TOTAL - FINAL COURT HEARINGS 4277 100

TOTAL - INTAKE PROBATION 1336

TOTAL - 1979 DISPOSITIONS 5613

## SOURCE OF ALL REFERRALS DISPOSED OF BY THE COURT

	Number	%
POLICE REFERRALS		
Pittsburgh	2,256	40
Suburbs	1,862	33
County Police	219	4
Other Police	29	-
Subtotal	4,366	77

## ALL OTHER SOURCES

Social Agency	180	3
Child Welfare	49	1
Probation Officer	412	7
Certified by Criminal Court	4	-
Other Courts	81	2
Parents/Relatives	76	2
Other Sources		
Injured Party	316	6
Non-Injured Party	60	1
School	53	1
Self	16	-
Subtotal	1,247	23
TOTAL	5,613	100

# DISPOSITIONS BY INTAKE DEPARTMENT

DISPOSITIONS	TOTAL
Withdrawn	7
Adjustment	52
Referral to Social Agency	74
Referral to School	3
Referral to Other Authority	23
TOTAL - INTAKE	159

## DISPOSITIONS OF REFERRALS AT FINAL COURT HEARING

Dismissed	92
Discontinued	59
Committed to Mental Hospital	11
Referred to Child Welfare	785
Miscellaneous Order	12
TOTAL - FINAL COURT HEARING	959
TOTAL - INTAKE	159
TOTAL - 1979 DISPOSITIONS	1118

## RESIDENCE OF CHILDREN FOR ALL REFERRALS DISPOSED OF BY THE COURT

	Total
Pittsburgh	633
Allegheny County	452
Elsewhere	8
Outside Pennsylvania	25
TOTAL	1118

## SOURCE OF ALL REFERRALS DISPOSED OF BY THE COURT

	Total
SOCIAL AGENCIES	980
Child Welfare	940
Other Agency	40
ALL OTHER SOURCES	138
Pittsburgh Police	55
Township/Boro Police	18
Parents/Relatives	35
Other Courts	8
Other Sources	22
TOTAL	1118

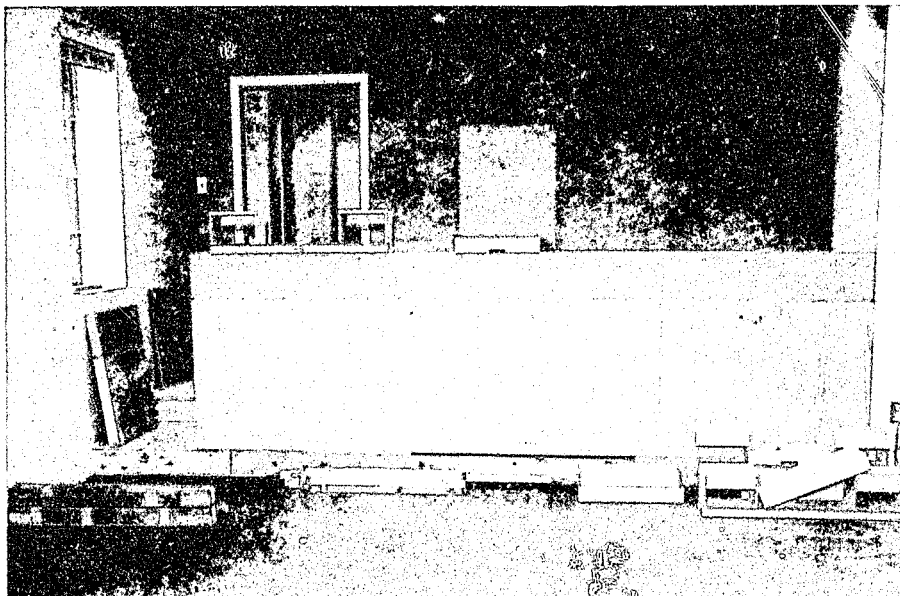
# NEW HOME AT AN Old Address

(Cont. from Page 25)

system and processes all police papers with arrest charges and citizen complaints. Here is where it is determined if charges can be adjusted or if a formal hearing will be required. The department consists of five probation officers and a supervisor.

The Investigation Unit is comprised of 13 probation officers and a supervisor and is charged with the responsibility of investigating new and reopened cases scheduled for hearings.

Consisting of two probation officers and a Coordinator, the Foster Home Department recruits foster parents and provides for youths placed in the program.



AS 1979 CAME TO a close workmen were well into the process of converting old County Health Department offices on the first floor of the building at 3333 Forbes Avenue into courtrooms and chambers for the Judges and Master of the Juvenile Section. This scene shows the bench under construction in one of the courtrooms.

## REASON FOR REFERRALS

	<u>Number</u>	<u>Percentage</u>
Murder	3	-
Involuntary Manslaughter	4	-
Aggravated Assault	219	4
Rape	24	1
Arson	65	1
Burglary and Criminal Trespass	1010	18
Robbery	202	4
Purse Snatching	62	1
Unauthorized Use of Auto	371	7
Theft (Over \$50)	492	9
Theft (Under \$50)	220	4
Simple Assault	579	10
Sexual Offenses-Excluding Rape	78	1
Retail Theft	112	2
Possession of Weapons	62	1
Possession/Sale of Marijuana and Alcohol	350	6
Possession/Use/Sale of Narcotics	23	-
Disorderly Conduct	161	3
False Alarms	4	-
Receiving Stolen Property	135	2
Criminal Mischief	299	5
Malicious Use of Telephone	23	1
Resisting Arrest	10	-
Escape from Institution	123	2
Failure to Adjust in an Institution	124	2
Violation of Criminal Type Probation	108	2
Failure to Pay Fine	26	1
Terroristic Threats	84	2
Possession/Drinking Alcohol	79	1
Others	209	4
Hit and Run	8	-
Other Traffic Offenses	24	-
All Permissions	3	-
Supervising on Order of Another Court	27	1
Modified Orders	290	5

<u>TOTAL</u>	5613	100
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# ALTERNATIVES TO INSTITUTIONALIZATION

Alternatives to institutionalizing young people who are referred to the Family Division's Juvenile Section were expanded in 1979 through the Community Home Detention Program.

Designed for the participation of 300 juveniles during the first year of the program, the Community Home Detention project is a \$114,948 effort funded by the Federal Law Enforcement Assistance Agency (LEAA) through the Pennsylvania Commission on Crime & Delinquency and Allegheny County.

It started in August of 1979 and provides a monitored and individualized home detention alternative to the judges in the Juvenile Section for appropriate youths while they are awaiting a hearing.

Another LEAA-funded program, the Foster Home project, provides Court supervision for selected youngsters who are placed in foster homes at the direction of the judge following a hearing. This program is in its second year, having started in late 1978.

Community Home Detention enables the young person to remain in his or her own home where family and educational needs are met, but with assurances through suitable controls and supervision that the individual and the community are protected.

One of nine Community Home Detention workers hired under this program maintains daily supervision and control over these juveniles during this period.

Juveniles who participate in this effort must follow a plan that has been designed specifically for them and which encompasses school/work attendance, curfew and a structured reporting period.

It also is a requirement that the individual reside in a suitable home with at least one parent or in another home with a relative, close friend or volunteer who will accept the youth into the home on a temporary basis.

Selection of youngsters to participate also requires that the offense which led to the individual's referral to the Juvenile Section be of such a nature that it does not render release of the youngster to the community unacceptable.

In the Foster Home Program qualified foster parents are recruited and trained so that elected children under Court supervision can be placed in their homes as part of the rehabilitation process.

Intensive casework services are provided to the participants, their parents and the foster parents. The program involves the services of a caseworker, foster parent recruiter and an administrative assistant.

During the first year the cost of the Foster Home project was \$44,652 and 47 families provided placement for 58 children. The second year cost is \$49,433. These are youngsters who might very well have been institutionalized had not this program been available.

The first year concluded last September and the second year of the program started in October of 1979.

Under a third LEAA grant of \$75,999, which started in June of 1979, the Juvenile Section of the Family Division provides a Restitution Program for Juvenile Offenders. It serves youths in the Shaler-Garfield, North Side Pittsburgh and East Liberty Community-Based Probation Centers.

A project coordinator and three restitution counselors were added to the Juvenile Section staff to provide this opportunity for youthful offenders to make restitution to the victims of their actions. It is in response to the latest revision in the Pennsylvania Juvenile Code which stipulates that restitution should be made wherever possible.

The program seeks to involve youths in a meaningful work program with a contract for monetary restitution; provide an opportunity for the youths to contract directly with their victims for work in and around the victim's home or for a charity of the victim's choice; to restore the confidence of the victim in the Court system and promote a sense of satisfaction in youths who make restitution either through service or payment; and through a positive experience effect a positive attitude change on the part of the youth toward self, the community and the victim.

## AGE OF CHILD AT TIME OF REFERRAL BASED ON FINAL COURT HEARING

Ages	Total
1 Year	152
2	53
3	44
4	39
5	32
6	52
7	45
8	53
9	53
10	36
11	45
12	58
13	91
14	112
15	127
16	87
17	35
18	4
<b>TOTAL</b>	<b>1118</b>

**END**