

AOPC CONNECTED



Issue 3, 2020

In this issue

Read about the recent kick-off of the new Autism and the Courts program, tips for remote interpreting, county court highlights and more.



top: Morgan Bathgate, Kate Hooven, Judge Jennifer Rogers bottom: Mike Piecuch, Judge Kelly C. Wall, Justice Kevin M. Dougherty

Autism and the Courts

The Pennsylvania Supreme Court and Department of Human Services (DHS) kicked off their new “Autism and the Courts” initiative with a virtual statewide panel roundtable on Nov. 17.

The overall goal, Supreme Court Justice **Kevin Dougherty** emphasized throughout the event, is for the Court and DHS to hear first-hand from not only their criminal justice partners and providers, but directly from individuals with an autism spectrum disorder (ASD), about the challenges faced in different spectrum regions across the state as they seek access to justice.

The Court worked closely with DHS Bureau of Autism Services, Education, Resources and Training (ASERT) to assemble a passionate panel that was equally excited to open up about their own experiences as it was curious to learn more from the others.

Moderated by Justice System Project Coordinator for ASERT Kate Hooven, the panel was made up of a state supreme court justice, two judges, a prosecutor and a young college student who shared some of her own experiences living with an ASD. Over 150 people attended the kick-off – all of whom seem very excited for the discussions to follow.

Justice Dougherty opened the event explaining the inspiration behind this initiative. He spoke about his background as a family court judge in Philadelphia for 15 years, and how one interaction with an individual with an ASD in his courtroom years ago ultimately led to the Court’s desire to explore this topic.

The other judges on the panel, Luzerne County Common Pleas Judge **Jennifer Rogers** and Montgomery County

Common Pleas Judge **Kelly Wall** – both of whom have served as the administrative judge of their county’s family court – shared insight they’ve gained from experiences with individuals with an ASD, both in and out of the courtroom.

Speaking from her experience on the family court bench, Judge Rogers explained that just as there is no one-size-fits-all description of autism, there is no one-size-fits-all approach when it comes to custody orders that involve a child with autism.

She explained that while a judge may be inclined to treat each sibling the same, in families where a child has autism, the custody order should be uniquely tailored to help meet the specific concerns and needs of the child – even if that means establishing some non-traditional guidelines.

Both judges explained how creative accommodations can be made when tailoring these custody orders to help smooth any home or family transition that a child with autism may be facing.

One example given was a judge specifically asking the child’s therapist to work with the child on their definition of home (helping expand their idea of “home” to include both mom and dad’s house). This was especially helpful for the child in that particular situation because like many others with an ASD, any sudden changes in routine can be very distressing.

This difficulty with handling any change in routine was actually one of the first things that panelist Morgan Bathgate had brought up in the beginning of the discussion when talking about some of the things that would be helpful for others to be aware of.

Although Morgan herself has never been involved with the criminal justice system, by speaking about her own personal experiences living with an ASD, she was able to be a voice for others like her who unfortunately will come into contact with the courts at some point.

All of the panelists seemed to agree that perhaps the most important thing that must happen in any case where a

defendant has an ASD is to make sure that ASD diagnosis, along with any other relevant behavioral or medical information, is known to the all parties in advance.

The panel greatly benefitted from the perspective of Snyder County District Attorney Mike Piecuch. He emphasized that it is especially important to get any information about an ASD diagnosis in the hands of the prosecutor early – as that knowledge could very well change their approach, and potentially, the entire course of the case outcome.

Piecuch reiterated throughout the discussion that accountability is a flexible concept. Of course no prosecutor would or should automatically dismiss any alleged crime strictly on the basis of an ASD diagnosis, however they will need to take those factors into consideration and examine what it is that the defendant is actually accountable for in certain circumstances.

He explained that if the goal of our criminal justice system is to reduce recidivism, then it is in every party’s best interest – including the prosecutors’ – to ensure we aren’t unknowingly locking up someone with mental health issues, rather than getting them the care and treatment they need.

As each judge on the panel said – they are only as good as the information they have. A portion of the Q & A section at the end focused on answering the question, what is the best way to ensure that information gets to the judge beforehand?

Judge Wall explained that one of the more difficult situations a judge might find themselves in is having someone in front of them who has not been formally diagnosed, but exhibits many behaviors consistent with an ASD diagnosis.

Out of the hour-and-a-half panel discussion came a lot of ideas for how courts can accommodate individuals if they recognize certain behaviors in a witness, juror, defendant, etc. consistent with an ASD diagnosis.

The next part of the initiative aims to narrow this broader statewide conversation taking place into targeted, regional discussions about specific challenges in those areas. The first regional forum will be held virtually on Jan. 26.

To watch the full panel discussion, or for more details about this initiative, visit our new [Autism in the Courts webpage](#).

Possible behavior/ trigger for an individual with autism	Potential consideration for court
Over-sensitivity to touch or sound	<ul style="list-style-type: none"> • Try to avoid sudden loud noises – like the banging of a gavel • Adjust the lighting in the room (the buzzing of fluorescent lights can be distracting) • Remove handcuffs
Extreme discomfort with any change in routine	<ul style="list-style-type: none"> • Familiarize the individual with the courtroom setting and processes beforehand
Anxiety arising out of a need to know “why?”	<ul style="list-style-type: none"> • Clearly explain the reasons for the current situation (this could mean taking extra time to lay out the case details and laws that may have been broken)
Instinct to takes things very literally	<ul style="list-style-type: none"> • Avoid sarcasm • Try not to use euphemisms or other forms of figurative language that might rely on certain social cues to decipher
Inability to maintain eye contact	<ul style="list-style-type: none"> • Don’t immediately interpret a defendant’s refusal to make or hold eye contact as a sign of disrespect
Constant fidgeting/unwillingness to stay seated	<ul style="list-style-type: none"> • Ask if they have a comfort object, or animal, that they would like to have with them in the courtroom (fidget spinner, weighted blanket, etc.)



Superior Court holds first-ever CLE program

At the end of September, the Pennsylvania Superior Court for the first time organized and held its own Continuing Legal Education (CLE) program – which was offered free of charge to over 100 attorneys who attended virtually.

Pennsylvania attorneys need to satisfy 12 CLE credits each year to maintain their license to practice. The attorneys who work for the Superior Court include judicial law clerks, central legal staff and attorneys in the Prothonotary’s Office – all of whom usually must sign up for various CLE programs around the state.

This year – in deviation from most other things in 2020 – that process was made a bit easier for them.

After first having the idea for such a program a few months prior, President Judge **Jack Panella** later asked Judge **Debbie Kunselman** to chair it. Together they worked closely with Chief CLE Counsel **Philp Yoon** and Legal Systems Coordinator **Peter Johnson**.

In the program’s first session, Superior Court Judge **Carolyn Nichols**, along with two experienced attorneys, provided a

detailed overview of judicial recusals – how they are raised, how trial courts address recusal and the current status of the law.

Later in the afternoon session, Superior Court PJE **Correale Stevens** and Judge **Maria McLaughlin** presented “Serial Killers and How to Handle the Sensationalized Case.” The judges discussed the unique characteristics of serial killers, potential forensic psychology/evidentiary issues and the challenges courts face in handling the attention that comes with high-profile cases.

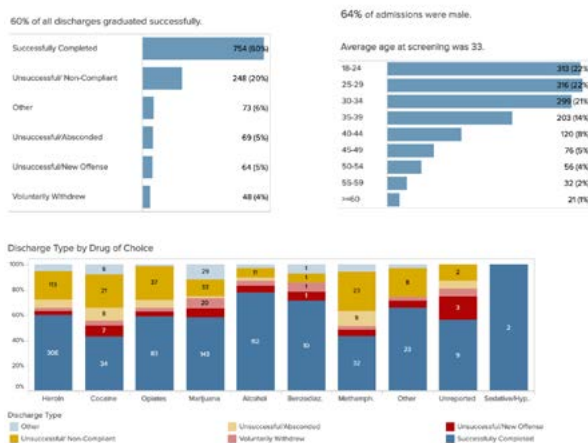
“By doing it this way, we were able to save our attorneys a lot of time by providing the opportunity to complete four substantive credits in one day. It also wound up being a cost savings because the cost of running the all-day CLE event was substantially less than individual reimbursements,” PJ Panella said.

PJ Panella said that this year served as a very successful trial run of the program and that next year they hope to hold a similar program where they can invite attorneys who work for the other appellate courts. [AOPC](#)

New court data now available

Earlier this fall, the [interactive data dashboards](#) were updated to reflect verified 2019 statewide caseload stats. For anyone interested in a quick look at statewide or county court data, these dashboards can be a helpful tool.

Also released this fall was the [2018 Annual Report](#), providing an organizational overview of the AOPC and statewide court programs, data and operations. With the recent release of 2019 court data, AOPC/Communications is now in the process of completing the 2019 Annual Report, which is targeted to be released in the spring. [AOPC](#)



section of Adult Drug Court Data dashboard



page from AOPC Annual Report 2018

What are Veterans Treatment Courts?

Veterans Courts assist veterans who are charged with crimes and are struggling with addiction, mental illness or other co-occurring disorders. Veterans Court participants:

- 1) Appear before the judge on a regular basis
- 2) Gain support and guidance from veteran mentors
- 3) Receive supervision by specialized probation officers
- 4) Get treatment and support to address underlying problems often caused by post-traumatic stress disorder
- 5) Work closely with the VA Veterans Justice Outreach coordinators



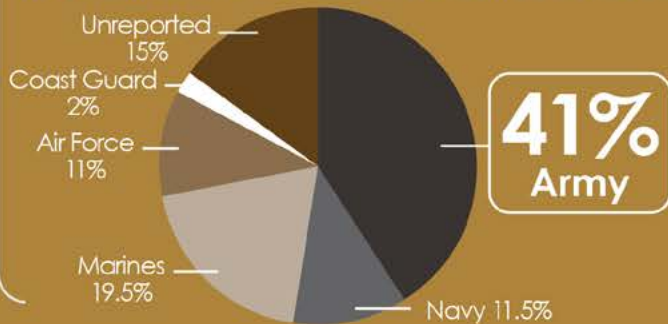
814,000
total veterans in
Pennsylvania (2019)

Pennsylvania's
veteran
population
ranks
4th
in the
United States

The first
veterans
treatment
court
opened in
Lackawanna
County
in 2009

303 admissions
in 2019

They came from the following branches of service:



25 veterans treatment courts in
Pennsylvania were active in 2019.
(Common Pleas)

12 counties have veterans
diversion programs
(Magisterial District Court)

189 veterans (out of 253 participants
discharged from the program)
graduated in 2019

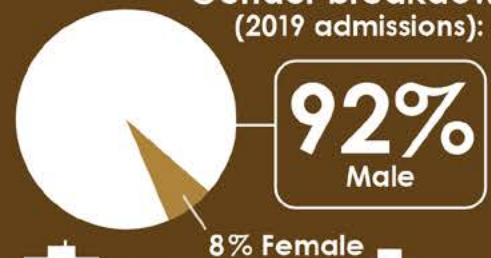
which is a **75%** successful
graduation rate.

46% increase in employment
among successful graduates.

Average age at
screening was

44

Gender breakdown
(2019 admissions):



Lifting employee spirits in the Franklin/Fulton Courts

From the very onset of the pandemic, Franklin/Fulton Counties' President Judge **Shawn Meyers** made it clear to all court employees in Franklin and Fulton Counties that his focus extended beyond their safety to a concern for their overall well-being, given the personal challenges that many were now facing.

Two days after issuing the first Judicial Emergency Order Declaration on March 18, PJ Meyers issued his first memorandum (now totaling more than 30 memos) to all court employees entitled *A Word of Thanks*.

In it, he offered a genuine, heartfelt message of appreciation and referred to employees as "top notch, hardworking and committed to tasks, while recognizing challenging days ahead."

"Over the next many months ahead and through present day, PJ Meyers has continued to balance all things COVID-related with continued employee engagement through almost weekly communications, while juggling administrative responsibilities and a continued presence of presiding over a plethora of legal matters that are scheduled daily," **Mark Singer**, Franklin/Fulton district court administrator said.

Several months into the pandemic, the PJ had another idea for a way to engage court employees – this time in the form of some friendly and creative competition.

All court-supervised employees were encouraged to participate in a mask decorating contest by submitting their own design entry and/or voting on their coworkers' entries.

In total, 40 entries were received and the PJ announced the winners in September.

Proof of the contest's success -- employees are still talking about the contest and how it lifted their spirits and morale. [AOPC](#)



design by Tammy Smith



design by Wendy Rinker



design by Shelva Eck



Lights. Camera. Action.

Franklin/Fulton County Courts held their first jury trial from inside the Chambersburg Capitol Theatre in October. A makeshift bench and counsel tables were set up on the stage in the large auditorium where juror candidates were able to space out in the audience. The process began with jury selection and right after the jury was picked, they rolled right into hearing the five-day trial. [AOPC](#)

Virtual Language Access Summit

With the expanding need for virtual hearings, many judicial districts are trying to find the best way to successfully conduct remote proceedings when the use of an interpreter may be required.

AOPC Language Access staff **Mary Vilter** and **Chase Emanuel** addressed this latest issue facing courts among

others during the 3rd annual (and 1st virtual) Language Access Coordinator (LAC) Summit.

Presented as a series of WebEx sessions over a four-week period (Oct. 27-Nov. 19), this year's LAC Summit covered four timely topics – Language Access Data Collection (LADC), Working with Interpreters, Translation

and Services Beyond the Courtroom and [Remote Interpreting Platforms](#).

Judges or court staff who are interested in learning about these interpreter features and already have a preferred virtual platform can skip to the timeframe referenced below for that section's tutorial. [AOPC](#)



from top left: Natalia Petrova, Chase Emanuel, Osvaldo Aviles, Mary Vilter

Microsoft Teams

Allegheny County Interpreter **Greg Sykes**
skip to minute 04:00

BlueJeans

Bucks County LAC **Erika Froehlich**
skip to minute 32:45

Zoom

York County PJ **Joseph Adams** and LAC **Kenluis Olivo**
skip to minute 53:10

Interpreter Program collaborates with Penn State for outreach

At the end of September, AOPC's Interpreter Certification Program (ICP) held a successful virtual recruitment session with Penn State University students and faculty, and other potential candidates in the Centre County community.

The outreach effort was spearheaded by Centre County Magisterial District Judge **Donald Hahn**, who first reached out to Penn State, as well as to a local Asian American community association

and literacy council with the idea to collaborate.

With the Penn State team distributing flyers and handling registration, the webinar was well-attended with over 30 interested candidates.

Many of the participants immediately expressed their interest in becoming court interpreters to **Natalia Petrova** and **Chase Emanuel** – who led the virtual session.



Two weeks later, the ICP held their fourth and final orientation of 2020 – where they were pleased to see a lot of those familiar faces among the nearly 20 attendees. [AOPC](#)



Legislative roundup

by Damian J. Wachter, Esq.

The General Assembly wrapped up its work for the 2020-21 session, including finalizing the fiscal year budget. A push by a small segment of House Republicans urging the governor to call the General Assembly into session to address those members' concerns about the 2020 presidential election is underway, but the governor is highly unlikely to take such a step. Absent such an action, the legislature will not return until January.

Budget

The legislature completed the budget for 2020-21 fiscal year by addressing the remaining seven months of spending provisions in the supplemental General Appropriations Act ([SB 1350](#)), or GAA, and the budget implementation language in the Fiscal Code ([HB 2536](#)). The bills were signed by the governor as Acts 17A and 114, respectively, and were effective on November 24.

The acts result in flat funding for the judiciary, plus a “sweep” of \$30 million from the Judicial Computer System Augmentation Account (JCSAA). In order to deal with a large deficit resulting from the ongoing pandemic, the final 2020-21 budget relied on transfers from numerous special funds and the Rainy-Day Fund. This includes the \$30 million transfer from the JCSAA, as well as sweeps of other funds, including the Workers' Compensation Security Fund, the Recycling Fund, several PENNVEST Funds and the Medical Marijuana Program Fund.

In tandem with [Act 1A](#) passed earlier this year, which allocated funding for the first five months of the fiscal year, the supplemental GAA provides for level state funding generally across the board, including the judiciary line items totaling \$355 million.

COLA suspension

[Act 79](#) precludes a cost of living adjustment in 2021 of compensation for public officials in the executive, legislative and judicial branches. The underlying bill – HB

2487 – passed both chambers unanimously in light of the fiscal crisis facing Pennsylvania because of the COVID-19 pandemic. The act was effective on October 16.

Expungement and Clean Slate

[Act 83](#) expands the expungement statute to include judicial determinations of full acquittals, and the clean slate limited access provisions to include pardons. The act requires that restitution and automation fees are fully paid before a defendant is eligible for either limited access or clean slate limited access. The act becomes effective on December 28, 2020.

Veterans and commerce courts

[Senate Bill 976](#) was signed into law as Act 111. The act specifically lists veterans courts within the current law governing problem solving courts, and allows for participation by out-of-county defendants in established veterans courts and for the establishment of multi-county veterans courts. It also permits the use of veterans tracks – programs within other treatment courts that utilize components of a veterans court such as treatment and mentors in judicial districts that otherwise do not have the population and/or resources to sustain a full veterans court. While the underlying bill was being considered in the House, it was amended with the provisions of [HB 332](#), a bill that allows the Superior Court and courts of common pleas to establish commerce court programs. The act becomes effective on January 4, 2021.

Emergency Medical Services (EMS) Operating Fund

[Act 93 of 2020](#) increases the costs that are deposited into the EMS Operating Fund imposed on traffic violations and admittance into ARD in DUI cases from \$10 to \$20, and \$25 to \$50, respectively. The act also requires a review by the Legislative Budget and Finance Committee (LBFC) of “court records to ensure that money for the [EMS] Operating Fund is being properly collected and deposited into the [fund].” The review must be completed in one year and must include recommendations on necessary remedial legislative action. The LBFC is required to examine records of the past five year of all courts required to levy costs under 75 Pa.C.S. §§ [3121](#) and [3807](#) (b)(1)(ix). The act becomes effective on February 26, 2021.

Probation reform

Surprisingly, probation reform legislation did not make it across the finish line. [House Bill 1555](#) and [Senate Bill 14](#) were similar probation reform proposals. Elements of the legislation included modification of probation conditions, parameters for total confinement upon revocation, probation review conferences and administrative probation for failure to pay restitution. The Senate unanimously passed SB 14 in the summer, but it died in the House

Judiciary Committee. House Bill 1555 was reported from the House Judiciary Committee nearly a year ago, but it never moved beyond the first day of consideration in the House.

Coming Up:

With the close of the legislative session, all bills that were not signed into law will have to be reintroduced next session. The new legislature will be sworn in on January 5, 2021, and the session will run until November 30, 2022.

In the early days of session, the appellate court district elections joint resolution is likely to receive attention. The language must pass in identical form to [HB 196](#). If approved by the House and Senate soon enough, a question could be on the ballot as early as the May municipal primary election. Enabling legislation would still have to be passed and signed by the governor to establish in law specific mechanisms for appellate district elections. A second issue that could get an early look, especially in the Senate, is probation reform. All of the senators who advocated for the legislation are returning next year.

Finally, the governor’s FY 21-22 budget will be proposed during the first week of February. The House and Senate will then convene hearings on the proposal. [AOPC](#)

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As part of our move to an entirely digital publication, there is now a button on the [pacourts.us website](#) that allows both court users and members of the public to subscribe to AOPConnected – in addition to press releases, appellate court opinions and other court resources.

AOPConnected has integrated into a mailing-subscription service that allows for this new feature, along with several others.

Readers who currently receive this newsletter have been automatically subscribed and no action is required on their part. [AOPC](#)

NCSC Family Justice Initiative: New recommendations, webpages, resolution

Despite presenting challenges to numerous court processes, the pandemic also afforded opportunities for courts to implement innovations that are making family courts more accessible, efficient, high priority – and less adversarial. The innovations are part of the CCJ/COSCA Family Justice Initiative (FJI), which is celebrating many milestones:

- [CCJ/COSCA resolution](#) – supports FJI’s bold, national recommendations
- [Online report](#) – serves as a repository for courts that have effectively responded to the needs of families before, during and after the pandemic
- [Redesigned webpages](#) – provides guidelines, recommendations and best practices

The project’s first phase involved a national study of domestic relations case processing in urban courts; phase two included the development of national Principles for Family Justice Reform. Following CCJ’s approval of the Principles, project partners launched phase three to implement the Principles in four pilot jurisdictions: Miami-Dade, Florida; Cuyahoga County, Ohio; Pima County, Arizona; and King County, Washington. Some of the “silver linings” the sites identified include:

- improved communication with parties as court staff walked parties through the processes remotely;
- improved scheduling options, giving parties autonomy to schedule their hearings online; and
- increased use of remote proceedings that resulted in improved appearance rates and party satisfaction.

The FJI team – taking into consideration adaptations courts made as a result of the pandemic – identified supplemental recommendations, which CCJ/COSCA endorsed in Resolution four in July. The new recommendations include:

- Affording family cases the same prestige and respect as other court matters
- Aggressively triaging cases as early as possible
- Simplifying court procedures to allow self-represented litigants to engage in the justice system and make sure they are treated fairly
- Ensuring that self-help information and services are available both in person and remotely
- Offering families a choice of dispute resolution options
- Promoting the well-being of families through the life of their case as the primary desired case outcome

This content was reproduced as an excerpt from the National Center of State Courts (NCSC) newsletter – @ the Center. For related content or to view this article in its entirety, go to [NCSC’s website](#).



You've got mail court

New CPCMS feature sends court date reminders via email



In a statewide effort to help reduce the number of missed court appearances, AOPC/IT recently added a new “E Communications” feature to the Common Pleas Case Management System (CPCMS) – allowing all judicial districts the ability to send email reminders to participants in upcoming criminal cases.

Similar functionality has been used in other state court systems where it's been shown to increase compliance in court attendance and decrease the number of failure-to-appear warrants issued.

Currently, electronic notifications will only be sent via email – however in the near future, the functionality will be enhanced to accommodate text messages.

E Communications is available as a controlled rollout to any county court office that confirms their interest with AOPC.

For more information please contact the [CPCMS Help Desk](#). [AOPC](#)

PA participates in virtual adoption initiative roundtable

The growing focus on kinship care

Earlier this fall, Pennsylvania Supreme Court Justice **Max Baer** and Office of Children and Families in the Courts Director **Sandy Moore** spoke at the Health and Human Services (HHS) Region III Virtual Adoption Initiative Roundtable.

Leading the Pennsylvania panel focused on permanency and kinship, they spoke to over 40 members of the executive coordinating council adoption roundtable for Region III – which encompasses Maryland, Virginia, West Virginia, Delaware, Pennsylvania and District of Columbia.

Justice Baer, speaking from his own experiences in dependency court, offered insight into how the discussion around kinship has evolved. He gave a down-to-earth assessment of where the courts used to stand, and where they need to go in terms of supporting and relying on kin.

“There was this unthoughtful bias to some extent against grandparents, grandmothers in particular, Justice Baer said.

“The argument that was once made to me in the early 90’s was that the apple doesn’t fall far from the tree – so if

mom is dysfunctional, grandma is the one who raised her. Well that is wrong ...that presumption that relatives are going to serve by the same malady is just fundamentally incorrect and wrong.”

He explained why and how that thinking has changed over the last 30 years. Like many other issues, as societal views began to change, so did many of the laws and policies surrounding dependency.

Today in Pennsylvania, Justice Baer explained, every possible attempt is made to not remove a child from their home or family – and if that is not possible, then the placement focus shifts to finding a trusted loved one in the child’s community who will take care of them.

“As soon as a child is in trouble and [OCFC] gets that call from the police or the hospital, we immediately start looking everywhere for kin. We look for the grandma, the aunt, the uncle... but we also look around for community kin. That’s the church member, the neighbor or the coach, who will take care of the child so they don’t have to leave their schools, or leave their

siblings or their communities,” Justice Baer said.

Sandy then spoke about the process they use to find those people explaining, “Our Family-Finding laws and process allow us to look for kin, including that community kin, to help create supportive networks around a child and that family... We have to turn to our communities and bring them in to care for their children, and our experience in Pennsylvania is that when you reach out to these people, they are more than willing to be part of the solution for these children and families.

“There are only a handful of states that require this practice and Pennsylvania, by comparison, probably has the most comprehensive Family Finding law in the country.”

The passionate knowledge that Justice Baer and Sandy spoke with clearly reverberated with the roundtable members on the call, who can now share Pennsylvania’s approach to kinship with the courts and related dependency organizations in their states. [AOPC](#)

Pennsylvania county courts celebrate Adoption Day

Westmoreland County

Victoria and Matthew Kuhn adopted Aiden, the foster child who had lived in their home for nearly three years. He joins a large, blended family, but only his mom and dad joined him for the hearing.

While they had to dial it back this year, Westmoreland County Courts were able to continue their tradition of celebrating National Adoption Day.

On Fri. Nov. 13, the courts held ceremonies to finalize four adoptions for three, new happy families.

In place of their annual National Adoption Day Celebration and Luncheon, the courts and their partners at the Statewide Adoption Network (SWAN) decided to individualize efforts to meet each family's needs this year.

Westmoreland County Common Pleas Judges **John Driscoll** and **Jim Silvis** made themselves available to finalize adoptions both virtually and in-person to suit those needs.

The new families were provided gift baskets with books celebrating adoption, gift cards and personalized gifts from the child's casework staff and Court-Appointed Special Advocate (CASA).

Berks County

Berks County Courts celebrated National Adoption Day on Nov. 11 with a special ceremony overseeing the adoptions of five happy children whose foster families became their forever families.

Berks County Common Pleas Judge **James M. Bucci**, with his passion for

foster-care adoptions, presided over the ceremony.

Since the courthouse was closed in observation of Veterans Day, families were able to safely attend their hearings together in-person, without the increased fear and risk of potential COVID exposure that would've been heightened on any other court day.

Montgomery County

Although COVID derailed their initial in-person plans, Montgomery County Courts were still able to celebrate over Zoom, where they finalized the adoptions of five children.

Montgomery County Orphans' Court Administrator **Ashley Kodet** described the happy day.

"At the peak, we had 71 participants on the Zoom call and it was a really lovely celebration. Montgomery County Common Pleas Judge **Lois Murphy** gave a welcome and introduction, we showed the videos from Montgomery County Commissioner Arkoosh and Office of Children and Youth Services Administrator Roberto Duarte, and then two of the families shared a few words – after which the judges completed the five adoptions," she said.

After each adoption, they invited participants on the call to unmute themselves to cheer, clap and offer congratulations to the family. Many of the families wore special adoption-related T-shirts that said things like "Peace Out Foster Care," "Team *Family Name* - Lifetime Member" and "Gotcha Day." **AOPC**



(above) Victoria and Matthew Kuhn adopted Aiden, the foster child who had lived in their home for nearly three years. He joins a large, blended family, but only his mom and dad joined him for the hearing.

(below) Berks County Adoption Day flyer.



*The 2020 photos above reflect events across other dates per COVID-19, some just of the Berks, or were publicly obtained per FOIA guidelines.

PABLE Holds Successful Remote Bar Exam

After watching some other states like Michigan and Florida experience an array of technical and security issues in their attempts to administer the bar exam online, many applicants in Pennsylvania began to worry as their exams grew closer.

However, despite its completely unprecedented nature, the Pennsylvania's October remote bar exam went off without a glitch on Oct. 5-7.

Its success took months of meticulous planning and a lot of collaboration and coordination with other agencies and organizations to make that possible.

Right from the start, **Gicine Brignola**, executive director of the Pennsylvania Board of Law Examiners (PABLE) said that the Board had ruled out any kind of exam that would require a constant online connection, concerned about potential Wi-Fi/connection issues.

While the test didn't require a constant internet connection, applicants needed to be able to access their email using Wi-Fi or cell data to obtain this file and their passwords, and then to upload the recordings of them taking the test.

Both to avoid potential same-day issues and to solve the problem of how to administer the exam to 30,000 people simultaneously, applicants were instructed to download the exam in encrypted format before exam day.

Bar associations, law firms and other organizations all stepped up to host students who were taking the exam to ensure adequate testing space, sufficient Wi-Fi connection and even offered laptops to anyone who needed one.

"We did everything we could to help folks that were concerned that they didn't have a quiet place to test," Gicine explained. "The PA Bar Association asked their members to make conference rooms available to host applicants and set up a webpage for law firms to post how many spaces they had."

The identification process was another cause of concern for some applicants who expressed worries about privacy and biometric data concerns, given the use of facial recognition technology that Examsoft uses to verify an applicant's identity.

AOPC/IT helped to streamline the initial ID verification process by developing a way for applicants to upload their ID online, rather than mailing them to the Board.

Even though applicants were required to have their webcams and microphones turned on while they recorded themselves taking the exam, the Board dispelled any privacy concerns with assurances that the ExamSoft vendor anonymously distributes these files to their proctor partners for grading and does not save any of the applicant's identifying information.

Countless intricate planning details went into making this exam an overall success, many of which will go unnoticed. However, the amount of time put in by the PABLE, its Chair, **David Fine**, Gicine Brignola and every other partner involved was well worth it, as other states look to Pennsylvania as a model. [AOPC](#)

Chief Justice Thomas G. Saylor virtually presents award to Board of Law Examiners Chair David Fine

The award was for special recognition in appreciation of Fine's leadership of the Board in crafting and implementing responses to the COVID-19 pandemic.

It was inscribed "Exceptional Leadership in Extraordinary Times" and cited the first remote administration of the Pennsylvania Bar Examination and the first supervised practice license. [AOPC](#)



Court Administrator Geoff Moulton receives the PBA Quality of Life Award



The Pennsylvania Bar Association last month recognized state Court Administrator Geoff Moulton as the 2020 recipient of the C. Dale McClain Quality of Life/Balance Award.

Although the award would typically have been presented during the PBA's annual luncheon, this year's ceremony was held via Zoom – where PBA President David Schwager and Immediate Past President Anne John presented the awards virtually.

Granted by the PBA Quality of Life/Balance Committee, the annual C. Dale McClain Award recognizes the substantial contribution made by a Pennsylvania attorney in identifying issues relevant to balancing the professional and personal lives of their peers, as well as the progress made in

assisting attorneys in maintaining and improving their overall quality of life.

The committee's message of recognition read as follows:

Hon. **H. Geoffrey Moulton Jr.** has contributed in many ways to help improve the quality of life for lawyers, particularly during the pandemic. In leading the Administrative Office of Pennsylvania Courts, he has taken steps to assure the safety, well-being and quality of life of lawyers and particularly those appearing in the courts at hearings, arguments, trials and conferences. He has responded with actions needed to overcome obstacles presented by the courts being closed due to COVID-19.

Chief Justice **Thomas Saylor** extended congratulations on behalf of the Pennsylvania Supreme Court: "This well-deserved award honors Geoff's contributions in navigating both the changing circumstances of the pandemic itself and the evolving health guidance affecting lawyers and court proceedings throughout the state." The AOPC joins the Supreme Court in offering congratulations to Geoff. [AOPC](#)

Editors

Stacey Witalec
Kim Bathgate

Writer

Casey Scheffler

Contributors

Patti Campbell
Rhonda Hocker
Stephen Baldwin

Graphic Design

Gretchen Smith

Photography

Justin Scott

Court Administrator of PA

Geoff Moulton

Assistant Court Administrator of PA

Andrea B. Tuominen


All content is collected, written and edited by the AOPC Communications Office unless noted.

You may reach the office by calling: (717) 231-3300

or by emailing:


CommunicationsOffice@pacourts.us

For more information about Pennsylvania's courts, visit: www.pacourts.us

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Supreme Court of Pennsylvania

Thomas G. Saylor
Chief Justice of Pennsylvania

Max Baer
Justice

Debra Todd
Justice

Christine Donohue
Justice

Kevin M. Dougherty
Justice

David N. Wecht
Justice

Sallie Updyke Mundy
Justice