



**CARBON COUNTY
QUADRENNIAL JUDICIAL REPORT
2003-2004-2005-2006**

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2003 – 2006 CARBON COUNTY QUADRENNIAL JUDICIAL REPORT

To the Citizens of Carbon County:



I am pleased to present this Quadrennial Report, which provides a public accounting of Court operations and finances for the years 2003, 2004, 2005, and 2006.

Change is the major theme during this reporting period. Judge Richard Webb took an early retirement and Judge David Addy joined me on the bench. A statewide Criminal Court Case Management System (CPCMS) became a reality in August of 2005, providing a uniform method of criminal case processing. Magisterial District Judge Joseph Homanko took the realm in the northern part of Carbon County replacing veteran Paul Hadzick. The Criminal Justice Advisory Board (CJAB) was established to provide a forum for criminal justice problems and solutions. Connectivity to the Pennsylvania Justice Network (JNET) aids the Court and law enforcement in the apprehension and tracking of defendants, and provides law enforcement with an added measure of security. A Court Security Committee was established. It oversees the implementation of physical security enhancements, as well as, updates the County's evacuation plan and security protocols.




Roger N. Nanovic, President Judge

Statistically speaking, family law filings continue to dominate. Economic conditions, coupled with a litigious society, are apparent by the increase in mortgage foreclosures, tax assessment appeals, and greater number of lawsuits filed. Overall, Carbon County's rate of increase in case filings is 15% while this Court's disposition rate increased 32%. The Court continues to be faced with an ever-changing, complex and competing set of demands to provide efficient, effective and timely justice to a litigious society, while protecting the rights of the accused.

Judge Addy and I deeply appreciate the constant support and hard work of our Court and County employees in the Court's effort to administer justice. This report is a testament to the tenacity, commitment and dedication of the Court and County staff, Masters and Judges of this Court.

Respectfully submitted,


ROGER N. NANOVIC
PRESIDENT JUDGE

HONORABLE ROGER N. NANOVIC



*Honorable Roger N. Nanovic
President Judge of Carbon County*

**Lead Judicial Secretary:
Joanne Donnelly
Law Clerk: Daniel Tune, Esquire
Phone: (570) 325-3661
Fax: (570) 325-4552**

Roger N. Nanovic became Carbon County's sixteenth Judge when he was sworn in on August 1, 2001. Endorsed by the Carbon County Republican and Democratic parties, he was elected on November 6, 2001, to a ten-year term of office commencing January 7, 2002. Judge Nanovic became President Judge on January 1, 2005, due to Judge Webb's early retirement.

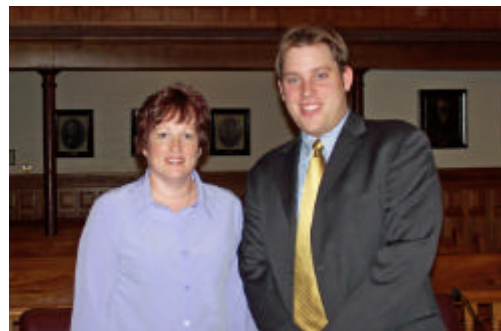
A 1976 graduate of the University of Notre Dame with a Bachelor of Science (B.S.) Degree in Preprofessional Studies, he received his Juris Doctor (J.D.) Degree from Dickinson School of Law of The Pennsylvania State University in 1979.

Prior to being a member of the judiciary, Judge Nanovic was engaged in the general practice of law for 22 years. During this period, he was actively involved in a broad range of legal issues and has extensive experience in municipal law and civil

litigation in both the state and federal courts. He served as Carbon County Solicitor from 1992 to 1996.

Since becoming President Judge, Judge Nanovic has assumed administrative duties in addition to a heavy and varied judicial caseload. As part of a two-judge county, Judge Nanovic handles all divisions of the court comprising of civil, criminal, juvenile, and orphans' court matters.

The parents of three children, Judge Nanovic and his wife, Cindy, reside in the Jim Thorpe area.



Judge Nanovic's office staff includes Joanne Donnelly, Lead Judicial Secretary (L) and Daniel Tune, Law Clerk (R).

HONORABLE DAVID W. ADDY



*Honorable David W. Addy
Judge of Carbon County*

Judicial Secretary: Nancy Howard
Law Clerk: Kathryn Von Badins, Esquire
Phone: (570) 325-9419
Fax: (570) 325-9449

David W. Addy became Carbon County's seventeenth Judge when he began serving on the Carbon County Court of Common Pleas on January 3, 2006.

Judge Addy graduated from Temple University in 1983 where he attained an Associates Degree in Science (Horticulture) in 1981 and also a Bachelor of Arts Degree in Economics in 1983, graduating summa cum laude. Judge Addy attended Villanova University School of Law where he received his Juris Doctor (J.D.) Degree in 1986.

That same year, Judge Addy began his legal career as a Law Clerk for former Carbon County President Judge John P. Lavelle. Following that clerkship, he was an Associate for the law firm of Scott & Webb.

Judge Addy later served as Carbon County Assistant District Attorney for 17 years. During his tenure with the District Attorney's Office, Judge Addy prosecuted many criminal

cases, including a significant number of drug and sexual abuse cases. He was an active participant with the Carbon County Drug Task Force and also served as a Specially Appointed Deputy Attorney General.

For 17 years, Judge Addy maintained a private law practice based in Lehigh, representing both individuals and groups. For many years, he practiced municipal law, serving as the Solicitor for the Borough of Lehigh, the Lehigh Water Authority and the Franklin Township Zoning Hearing Board. He also served as Solicitor for a number of homeowners associations, such as Bear Creek Lakes, Holiday Pocono and Pleasant Valley West.

Judge Addy and his wife, Carol, reside in Lehigh. He has three sons, Christopher, Michael, and Jason and two step-children, Ghyslyn and Jason.



*Law Clerk Kathryn Von Badins (L) and
Judicial Secretary Nancy Howard (R)*

HONORABLE RICHARD W. WEBB



*Honorable Richard W. Webb
Senior Judge of Carbon County*

Richard W. Webb became Carbon County's fifteenth Judge when he was sworn in on January 6, 1992. In November 2001, the voters approved his retention for a second ten-year term commencing January 7, 2002. Judge Webb became President Judge on February 18, 2001, when President Judge John P. Lavelle reached mandatory retirement.

A lifetime resident of Palmerton, he received his early education in the Palmerton public school system. After earning a degree at Pennsylvania State University in 1966, he went on to the University of Pittsburgh Law School, where he was awarded a Juris Doctor (J.D.) Degree in 1969.

From 1973 to 1975, Judge Webb served as a Public Defender, and in November of 1975 he won election to the office of District Attorney. For the next sixteen years, he established an outstanding reputation for integrity, diligence, and ability, and a courtroom prosecutor who rarely lost a case. During his tenure as District Attorney, he founded the Carbon County Drug Task Force

and received many awards and citations for his tenacious prosecution of drug cases.

Judge Webb decided to take early retirement on December 31, 2004. He continues to aid Carbon County as a Senior Judge handling various types of cases.

The parents of two sons and grandparents of two grandsons and two granddaughters, Judge Webb and his wife, Janet, reside in Palmerton.



Judge Webb surrounded by his family at his retirement party. Front row from (L to R) SueAnn Webb, Jane Werley, Janet Webb, Angela Webb. Back row (L to R) Richard Webb, Judge Webb and Thomas Webb.

COURT ADMINISTRATION



District Court Administrator Roberta L. Brewster (seated center) with Court Administration staff seated (L to R), are Assistant Court Administrators Aileen Cassidy and Kelly Hamm. Standing (L to R) are Administrative Assistants Carla Hill and Lori Haydt and Department Clerk III Kristin Leffler.

District Court Administrator:
Roberta L. Brewster
Assistant Court Administrators:
Aileen Cassidy and Kelly Hamm
Administrative Assistants:
Lori Haydt and Carla Hill
Department Clerk III:
Kristin Leffler
Phone: (570) 325-8556
Fax: (570) 325-9449

The District Court Administrator assisted by her experienced staff is responsible for the day-to-day non-judicial operations of the Court of Common Pleas and the Magisterial District Courts. She is responsible for fiscal administration, case-flow management, policy development, personnel, facilities, jury and information technology management and acts as intergovernmental liaison for the Court.

Court Administration staff schedules all types of hearings and conferences for the Judges and the Masters. Arbitration panels are automatically scheduled for cases involving disputes under \$50,000.

This office processes and tracks thousands of motions and petitions, as well as stipulations and continuances.

The operation of the one-day/one-trial system is monitored by the Court Administrator to ensure efficient use of jurors, using cost effective methods.

Assistant Court Administrators Aileen Cassidy and Kelly Hamm perform fiscal and statistical functions, ensuring that revenues and expenditures are accounted for properly and that accurate recording of case-flow numbers and trends are reported.

FAMILY LAW CASES

Cases involving custody, divorce, protection from abuse, and child/spousal support dominate the Court's docket. These cases make up 69% of the civil caseload. Also, many of these cases proceed through the system with the parties being unrepresented by counsel. Custody and protection from abuse forms are made available in the Prothonotary's office or online at www.carboncourts.com.

VIDEO CONFERENCING

Two-way audio-visual communication continues to be a valuable time and money saver for the Court and County.

Monitors and video cameras in the Courthouse and Correctional Facility allow the Court to conduct hearings from a conference room with an inmate housed at the prison. This method reduces labor costs for the Sheriff and minimizes security risks, because prisoners are not transported to the Courthouse.

Routine uses of video conferencing include pretrial bail inquiries, Gagnon I hearings, reduction of bail hearings, dismissal of bench warrants, and extradition hearings.

CASE-FLOW MANAGEMENT

Both civil and criminal case-flow standards are utilized to track, monitor and schedule cases through the system. With pre-set timeframes, the Court has taken control of its inventory and the allotted time needed to effect dispositions. Negotiated settlements for criminal pleas and ARD's are established by the District Attorney at the preliminary hearing stage held at the Magisterial District Courts. Defendants receive a notice of their court date along with a scheduled date for the CRN (Court Reporting Network) evaluation.

Civil cases are automatically assigned to a Judge at filing and based on the type of case, are placed on either fast, standard, or complex case-flow tracks, establishing timeframes for discovery, pre-trial motions, expert reports and date of trial. When the case is 120 days old, a management review is performed to determine if the case is on the right track and if service has been made. Periodic management conferences are held by the Court to keep the case moving toward disposition.

COURT FINANCES / PERSONNEL

The Court system operates on a \$2.8 million dollar budget, representing 4.3% of the County of Carbon's \$65,374,290 budget.

At the end of 2006, the Court employed 53 full-time and 7 part-time employees.

**PENNSYLVANIA SUPERIOR COURT
VISITS CARBON COUNTY**

On September 28th and 29th, 2004, the Pennsylvania Superior Court held court in a public session at the Carbon County Courthouse. Judge Richard W. Webb and Judge Roger N. Nanovic welcomed the distinguished three-judge panel composed of President Judge Emeritus Stephen J. McEwen, Jr., Judge Richard B. Klein and Judge Correale F. Stevens to Carbon County.

The Carbon County Bar Association hosted a cocktail and dinner reception at the Emerald Restaurant at the Inn of Jim Thorpe for the Justices.



From L to R, Judge Roger Nanovic, President Judge Emeritus Stephen McEwen, Judge Correale Stevens, Judge Richard Klein and Judge Richard Webb.

2003 – 2006 CARBON COUNTY QUADRENNIAL JUDICIAL REPORT

**CASE VOLUME SUMMARY
COURT CASELOAD AND STATISTICAL
COMPARISON
2003 – 2006**

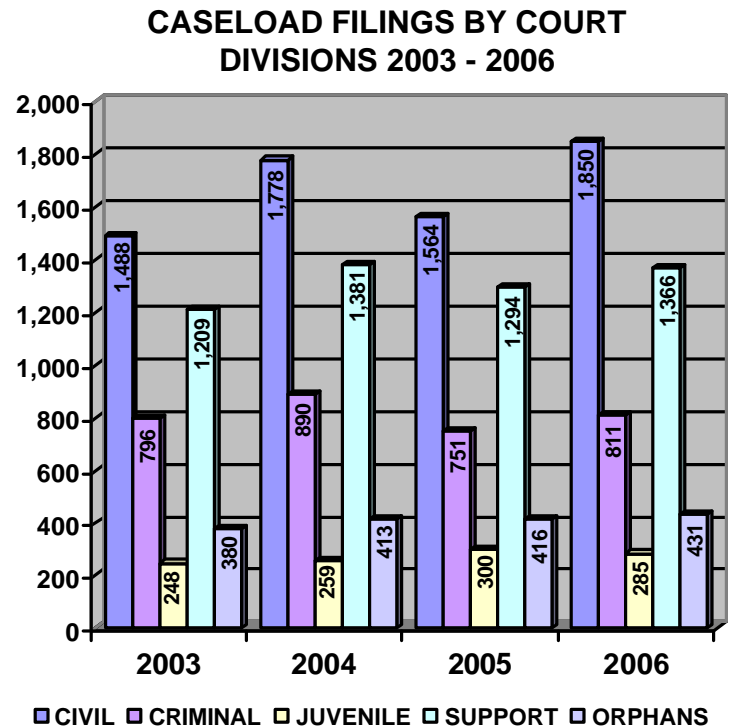
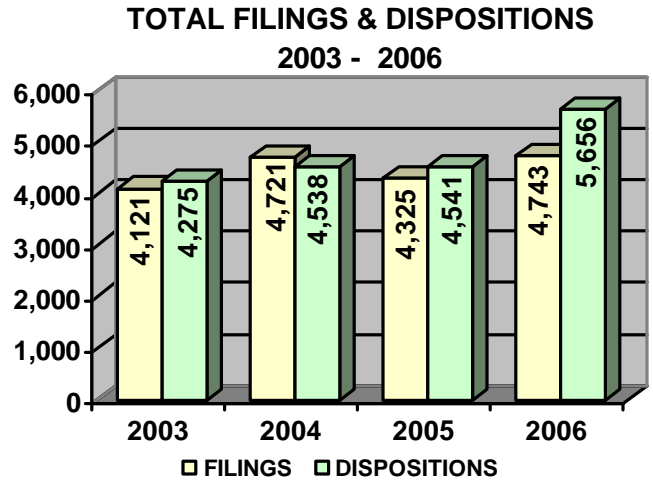
	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
CRIMINAL				
Cases Received*	740	809	698	743
Cases Disposed*	692	733	677	925
Summary Appeals Filed	56	81	53	68
Summary Appeals Disposed	51	70	72	71
JUVENILE (Dependency & Delinquency)				
Cases Received	248	259	300	285
Cases Disposed	307	238	266	329
CIVIL				
Cases Received	784	974	906	1,023
Cases Disposed	1,011	1,018	1,061	1,743
EQUITY**				
Cases Received	16	19	16	0
Cases Disposed	11	14	16	17
DIVORCE				
Cases Received	189	204	169	202
Cases Disposed	202	178	185	212
CUSTODY***				
Cases Received	220	298	259	326
Cases Disposed	237	247	284	328
PROTECTION FROM ABUSE				
Cases Received	279	283	214	299
Cases Disposed	285	288	218	295
DOMESTIC RELATIONS				
Cases Received	1,209	1,381	1,294	1,366
Cases Disposed	1,031	1,310	1,364	1,341
ORPHANS' COURT				
Estates Raised	355	383	382	407
Estates Disposed	427	413	363	369
ADOPTIONS & TERMINATIONS				
Cases Received	25	30	34	24
Cases Disposed	21	29	35	26
TOTAL				
Cases Received	4,121	4,721	4,325	4,743
Cases Disposed	4,275	4,538	4,541	5,656

*Figures as reported by CPCMS for filings and dispositions since August 2005.

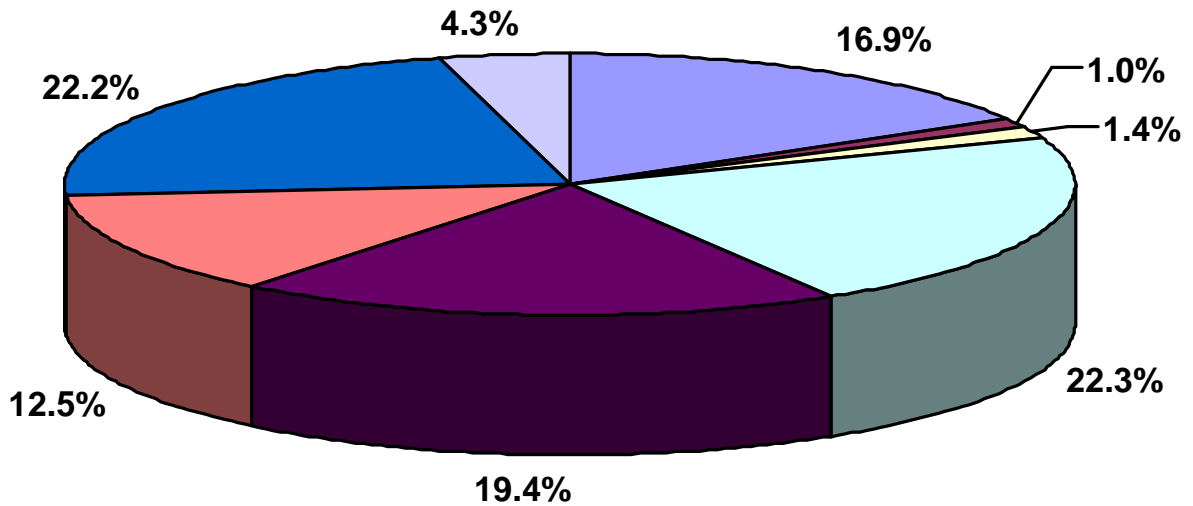
**The procedural distinctions between equity and civil action were abolished 7/1/04. Beginning 9/1/05, the Court began integrating equity cases into civil actions.

***Figures include Petitions to Modify Custody.

**CASE FILINGS INCREASE 15%
CASE DISPOSITIONS INCREASE 32%**

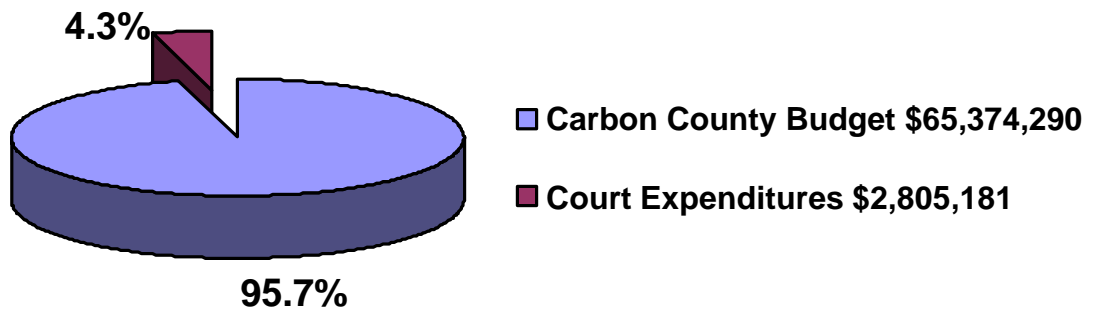


2006 COURT OPERATIONAL EXPENDITURES AND NUMBER OF EMPLOYEES



- Court Administration \$470,962 (11 Full Time & 5 Part Time)
- Law Library \$28,275 (0 Employees)
- Jury Selection Commission \$38,565 (1 Part Time)
- Magisterial District Courts \$626,780 (13 Full Time & 1 Part Time)
- Adult Probation \$545,245 (9 Full Time & 1 Part Time)
- Juvenile Court \$351,485 (7 Full Time)
- Domestic Relations \$623,674 (11 Full Time & 1 Part Time)
- Court Computer Information Systems \$120,195 (2 Full Time)

2006 COUNTY OF CARBON ADOPTED BUDGET AS COMPARED TO TOTAL COURT EXPENDITURES INCLUDING BENEFIT COSTS



COURT FINANCIAL SUMMARY

	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Court Department Revenues				
County Court Support	\$140,634	\$140,300	\$140,318	\$200,746
PA MH/MR Reimbursement	\$7,125	\$6,825	\$8,075	\$4,150
Adult Probation Grant	\$115,508	\$79,063	\$76,246	\$72,373
Intermediate Punishment Grant	\$6,523	\$4,670	\$4,670	\$4,670
Collection Enforcement Grant	\$-0-	\$-0-	\$-0-	\$-0-
Service Fees for Bureau of Collections Office	\$25,625	\$27,407	\$27,563	\$44,567
Juvenile Court Costs	\$3,445	\$3,200	\$1,928	\$4,537
Juvenile Supervision Fee	\$9,076	\$6,069	\$8,956	\$17,156
Community Service – Juvenile Office	\$2,217	\$8,801	\$11,493	\$821
Offender Supervision Fee (Adult Probation)	\$118,295	\$115,029	\$138,968	\$146,050
Electronic Monitoring Fee (Adult Probation)	\$10,572	\$12,107	\$10,698	\$8,821
ARD Costs Collection (Adult Prob. & Bur. Of Coll.)	\$59,739	\$61,471	\$62,096	\$63,595
Data Processing Fees (Juvenile & Bur. of Coll.)	\$13,920	\$14,679	\$9,965	\$-0-
DJ Fines & Costs	\$341,347	\$425,175	\$429,908	\$457,022
Domestic Relations IV-D Grant	\$387,976	\$448,260	\$376,804	\$416,516
Domestic Relations IV-D Incentive	\$38,240	\$164,885	\$70,827	\$70,142
Domestic Relations Fees & Costs	\$5,345	\$4,391	\$5,174	\$3,741
Jury Commission Reimbursement	\$1,352	\$638	\$897	\$621
Juvenile Probation Grant	\$80,034	\$80,034	\$149,123	\$74,089
Juvenile Electronic Monitoring	\$73	\$148	\$60	\$289
Juvenile Reimbursement	\$332,015	\$346,637	\$436,313	\$451,121
Juvenile Block Grant (TANFBG)	\$13,328	\$13,376	\$-0-	\$-0-
Juvenile Grant (JAIBG)	\$20,000	\$20,000	\$22,500	\$7,500
Juvenile Title IV-E Grant	\$-0-	\$58,376	\$108,720	\$26,120
TOTAL COURT REVENUES	\$1,732,389	\$2,041,541	\$2,101,302	\$2,074,647
COURT DEPARTMENT EXPENDITURES		Without fringe benefits	With Fringe Benefits as of 12/31/05	
Court Administration	\$446,304	\$454,990	\$453,693	\$470,962
Adult Probation	\$530,147	\$509,738	\$531,237	\$545,245
Bureau of Collections	\$106,444	\$86,292	\$-0-	\$-0-
District Justices	\$612,657	\$641,537	\$643,704	\$626,780
Domestic Relations	\$631,853	\$656,780	\$646,811	\$623,674
Jury Selection Commission	\$95,369	\$80,661	\$77,550	\$38,565
Juvenile Court	\$349,976	\$373,323	\$399,175	\$351,485
Law Library	\$19,897	\$24,513	\$27,214	\$28,275
Court Computer Information Systems	\$127,368	\$114,419	\$129,733	\$120,195
TOTAL COURT DEPARTMENT EXPENDITURES	\$2,920,015	\$2,942,253	\$2,909,117	\$2,805,181
JUVENILE PLACEMENT EXPENDITURES	\$688,585	\$879,227	\$816,033	\$856,468
TOTAL COURT EXPENDITURES	\$3,608,600	\$3,821,480	\$3,725,150	\$3,661,649
TOTAL COURT REVENUES	\$1,732,389	\$2,041,541	\$2,101,302	\$2,074,647
TOTAL OPERATIONAL COST TO COUNTY COST RATIO (REVENUE/EXPENDITURES)	\$1,876,211 48%	\$1,779,939 53%	\$1,623,848 56%	\$1,587,002 57%

2003 – 2006 CARBON COUNTY QUADRENNIAL JUDICIAL REPORT

STATUTORY APPEAL FILINGS & DISPOSITIONS

	2003 FILINGS AND DISPOSITIONS		2004 FILINGS AND DISPOSITIONS		2005 FILINGS AND DISPOSITIONS		2006 FILINGS AND DISPOSITIONS	
Municipal Appeals	0	0	0	0	0	0	2	1
License Appeals	22	25	33	31	36	39	41	30
Tax Assessment Appeals	108	49	276	37	113	22	36	442
District Justice Appeals	64	54	73	62	58	69	71	79
Tax Sale Appeals	7	14	4	4	8	9	5	6
Mental Health Appeals	12	12	18	17	7	8	5	5
Zoning Appeals	0	7	5	2	8	4	14	9
Total	213	161	409	153	230	151	174	572
Criminal Summary Appeals***	56	51	81	70	53	72	68	71

MISCELLANEOUS JUDICIAL ACTIVITY

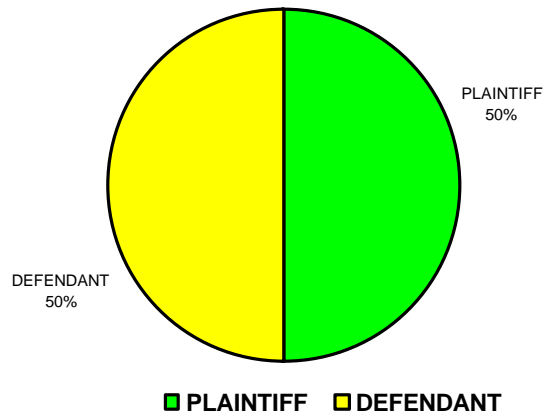
	2003	2004	2005	2006
Arguments	149	124	384	191
PFA Hearings	285	288	218	295
Court Custody Hearings	237	247	284	328
Other Civil Hearings*	295	311	392	297
Management Conferences	289	282	234	321
Pre-Trial Conferences	44	52	49	83
Total Civil	1,299	1,304	1,561	1,515
Revocation Hearings***	92	116	137	168
Other Hearings**	245	265	119	318
Total	337	381	256	486
Total Civil & Criminal***	1,636	1,685	1,817	2,001

Carbon’s case inventory averages about 4,478 cases during this reporting period. Thirteen (13) civil jury trials were held during this four-year period. 6.5 cases or 50% resulted in verdicts for the Plaintiff ranging from \$4,443 to \$426,100 and 6.5 cases produced defense verdicts. A total of 23 criminal jury trials were held with 44% or 10 Defendants being found guilty and one mistrial being declared. Seven (7) bench trials resulted in all guilty findings by the Court. From 2003 to 2006, there were 6,764 civil cases disposed and 4,045 civil hearings and arguments.

A total of 5,046 domestic relations' cases were disposed and 138 orphans' court cases were disposed. Disposed criminal cases totaled 3,027 cases. In addition, the Court conducted 1,460 criminal hearings and revocations. There were 264 summary appeals heard.

*Civil hearings include Petition for Special Relief, Contempt, Petition to Approve Settlements, Open Judgments, Discovery Motions, Petition for Bifurcation, and Preliminary Injunction.
 **Other hearings include Pretrial Motions, Post Trial Motions, Juvenile Dependency Review, Contempt Proceedings and Extraditions.
 ***Criminal/Dependency figures as reported by CPCMS since August 2005.

COMPARISON OF CIVIL JURY VERDICTS 2003-2006





Arbitration Panel includes (L to R) Steven Serfass, Esquire, William Schwab, Esquire and Sarah Tomlinson, Esquire.

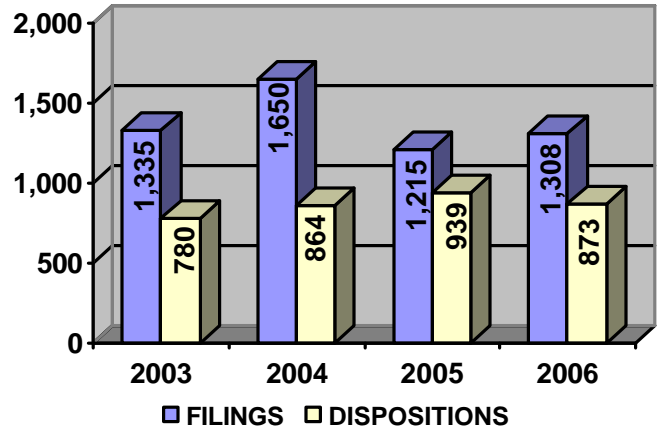
ARBITRATIONS

Arbitration hearings are automatically scheduled in cases where the amount in controversy is \$50,000.00 or less. These cases are processed on a fast track timeframe and are disposed in approximately ten (10) months from case filing. Of the 72 cases scheduled for arbitration in 2006, 35 cases or 48.6% were decided by arbitration panels consisting of three attorneys. Of the remaining 37 cases, two (2) cases went to a jury trial and the remaining 35 cases were either settled, discontinued or dismissed. There were 25 Plaintiff awards and ten (10) cases resulted in Defendant awards. Eight (8) cases were appealed to a Common Pleas Judge.

PROTECTION FROM ABUSE DATABASE (PFAD)

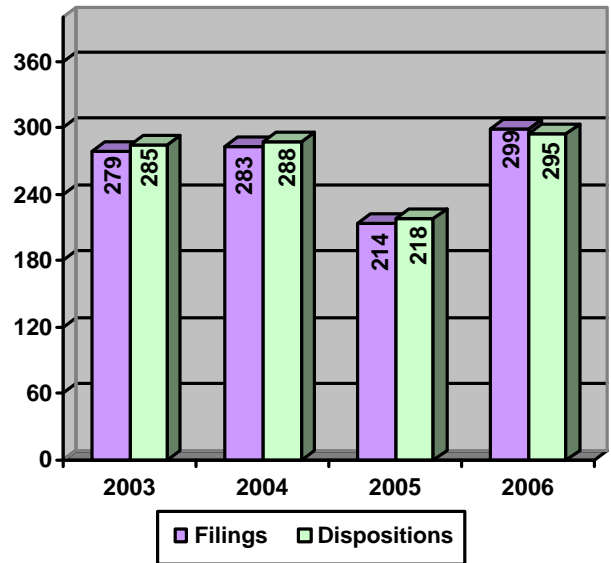
A statewide database system (PFAD) works with the Pennsylvania State Police (PSP) Protection Order Registry by providing data for the courts and law enforcement. PFAD creates all standardized PFA forms and the PSP Protection From Abuse Summary Data Sheet.

CIVIL MOTIONS AND PETITIONS 2003-2006



An average of 1,377 filings and 864 dispositions of motions and petitions were handled by the Judges during this reporting period.

PROTECTION FROM ABUSE FILINGS HIT A RECORD HIGH IN 2006



% Change 2003-2006	% Change 2003-2006
Filings	Dispositions
7.2%	3.5%

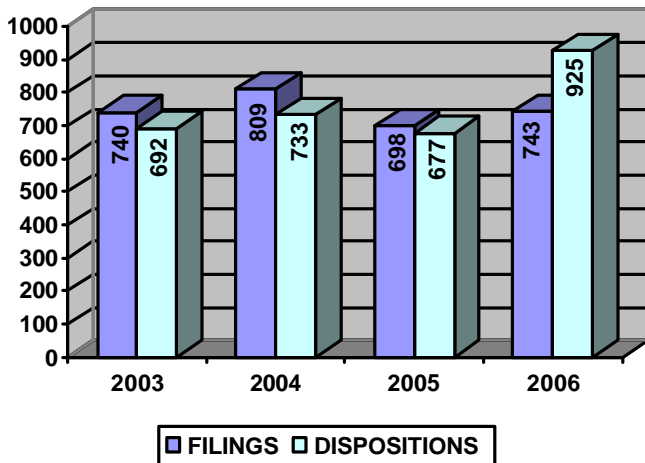
CRIMINAL COURT DISPOSITIONS

	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Cases Filed	740	809	698	743
Cases Disposed	692	733	677	925
<u>Types of Dispositions:</u>				
Withdrawn/Dismissed	40	36	29	38
Rule 600	0	0	0	1
A.R.D.	185	215	168	179
Guilty Plea	452	455	421	597
Non-Jury Trial	2	4	2	3
Jury Trial	6	9	11	4
Inactive Cases	4	10	30	93
Other Disposition	3	4	16	10
Total Disposed	692	733	677	925

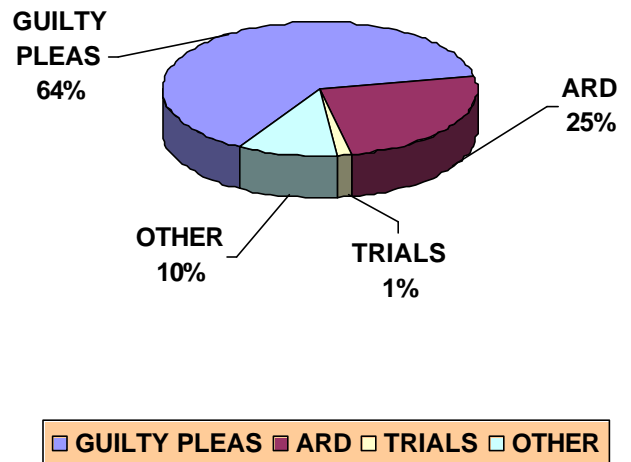
COURT DISPOSED OF 89.6% OF CRIMINAL CASELOAD

The Judges disposed of an average of 757 criminal cases per year. The criminal case flow management program provides the vehicle and the impetus for moving cases toward final disposition. A quick glance at the pie chart below indicates that 2,672 cases or 88.3% of the 3,027 criminal dispositions were resolved by guilty pleas, ARD or other pretrial dispositions. Only 30 cases or 1.0% went to jury trials. The coordinated efforts beginning at the Magisterial District Court level continuing through the Common Pleas level allow the Court to maintain this dispositional rate and keep pace with criminal filings.

**FILINGS AND DISPOSITIONS
CRIMINAL CASELOAD 2003-2006**



**TYPES OF CRIMINAL
DISPOSITIONS 2003 - 2006**



2003 – 2006 CARBON COUNTY QUADRENNIAL JUDICIAL REPORT



*Certified Court Reporters
Sherri Kleintop, RPR (L) and Patricia Lawless (R)*



Lori Buck, Court Reporting Monitor

**Certified Court Reporters:
Sherri Kleintop, RPR and
Patricia Lawless
Court Reporting Monitor:
Lori Buck
Phone: (570) 325-8556
Fax: (570) 325-9449**

Currently, Carbon County employs two Certified Court Reporters and one part-time Court Reporting Monitor. Each is responsible for recording or reducing to notes all Court proceedings as provided by the Rules of Judicial Administration. Also, they must prepare or arrange for the transcription of the proceedings and file each transcript in the appropriate office.

The Certified Court Reporters use a computerized steno machine, which saves information to a hard drive within the machine and a Secure Digital (SD) card. When a transcript of a proceeding is requested, the reporter loads the steno notes from the SD card into the computer using Case Catalyst software. A draft version is produced from the keystrokes of the reporters. These machines are paperless eliminating the need to store raw notes for extended periods of time.

Computer aided transcription has proven more efficient and cost-effective when compared to the manual translation of steno notes as transcripts are produced quickly, saving time and money.

The Court Reporting Monitor uses a digital/audio computer system known as FTR Gold for all court proceedings. This system saves testimony to compact discs. Transcripts are produced from these discs. Both courtrooms are equipped with FTR Gold.

Tipstaves: Susan Bernhard, Sandra Flanigan, John Rupell, and William Zimmerman

The Tipstaves are responsible to prepare the courtroom, call the cases, verify that all litigants, attorneys and personnel are present, safeguard evidence, provide proper courtroom decorum, and assist jurors during trials.



*Tipstaves (L to R), Susan Bernhard, William Zimmerman,
Sandra Flanigan, and John Rupell.*

2003 – 2006 CARBON COUNTY QUADRENNIAL JUDICIAL REPORT



*Samuel F. Feldman, Esquire
Master in Divorce and Custody*



*William G. Schwab, Esquire
Custody Master*



*William B. Quinn, Esquire
Mental Health Review Officer*

President Judge Roger N. Nanovic appoints Masters in Divorce, Custody, and Mental Health to assist the Court in handling the heavy caseloads.

Samuel F. Feldman, Esquire serves the Court as both a Divorce and Custody Master and William G. Schwab, Esquire serves as a Custody Master. Attorney Feldman hears issues pertaining to divorce, equitable distribution of marital assets, alimony pendente lite, alimony, counsel fees, costs and expenses and Attorneys Feldman and Schwab hear issues pertaining to custody. Conferences are routinely scheduled in an effort to obtain voluntary agreements between the parties. If no agreement is reached, partial custody/visitation and divorce cases are scheduled for hearings. Matters involving primary custody claims are scheduled before the Judges. Exceptions filed to any Master's recommended Orders of Court are heard by a Judge, who disposes of the exceptions.

Mental Health Review Officers William B. Quinn, Esquire and Marianne S. Lavelle, Esquire conduct hearings at various hospitals to determine whether an individual should be involuntarily committed to a mental health facility.



*Marianne S. Lavelle, Esquire
Mental Health Review Officer*

**HEARINGS & CONFERENCES
CONDUCTED BY MASTERS**

	2003	2004	2005	2006
Divorce	15	9	7	22
Custody	125	142	162	192
Mental	131	120	137	64
Total	271	271	306	278

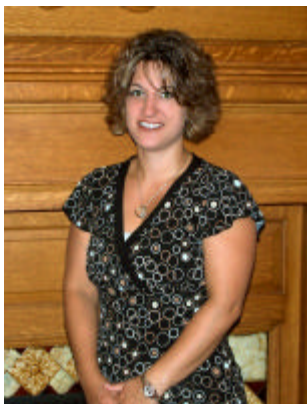


*Jury Commissioners
William Poluka (L) and Joseph Steber (R)*

Jury Commissioners:
William Poluka and Joseph Steber
Part-Time Department Clerk III:
Kristin J. Leffler
Phone: (570) 325-4759
Fax: (570) 325-9449

JURY SELECTION COMMISSION

Elected Officials William Poluka and Joseph Steber along with President Judge Nanovic comprise the Jury Selection Commission and are responsible for the selection and reporting of jurors. Together with the Department Clerk, they maintain and update the master file, summon jurors, qualify and disqualify prospective jurors, investigate non-compliance and provide for excusal of jurors according to statutory requirements. The President Judge determines all hardship excusals.



*Kristin J. Leffler
Department Clerk III*

During this reporting period, the Jury Selection Commission voted to use the motor vehicle file as the master file, which is updated on a yearly basis.

**JUROR'S GUIDE - A QUICK REFERENCE
TO YOUR ROLE IN THE TRIAL PROCESS
IN PENNSYLVANIA**

This pamphlet, which was created by the Pennsylvania Bar Association and Pennsylvanians for Modern Courts, provides each juror with information to help understand the Pennsylvania Court, informs the juror of what to expect when serving as a juror, and emphasizes the critical role jurors play in our justice system. This pamphlet is reproduced in house by the Court Computer Information System Department with authorization from the PA Bar Association.

	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>4 Year Average</u>
Juror Days	714	991	924	962	898
Number Sent to					
Voir Dire	426	824	761	681	673
Sworn Jurors	105	221	266	184	194
Voir Dires Begun	12	20	19	13	16
Jury Trials Begun	9	16	15	10	12.5
Pool Days	10	12	10	12	11
Zero Pool Days	0	0	0	1	.25
Total Juror Costs	\$11,018	\$17,759	\$15,973	\$14,388	\$14,785
Average Cost Per Trial	\$1,224	\$1,110	\$1,065	\$1,439	\$1,210
Department Operating Costs	\$95,369	\$80,661	\$77,550	\$38,565*	\$73,036

**Juror fees, meals and housing were transferred to the court budget in 2006.*

LAW LIBRARY



Carbon County Law Library

Phone: (570) 325-3111

Fax: (570) 325-9449

Located on the second floor of the Courthouse, the Carbon County Law Library is the only public legal research library in Carbon County offering electronic and hard copy access to federal and state statutes, cases, administrative regulations, legal treatises, forms, local ordinances, and various other legal reference materials. Two computers provide access to an electronic research library known as WESTLAW, via the Internet. This system allows access to federal and state materials by members of the Bar who maintain accounts with WESTLAW.

The County provides funding for the Law Library. In 2006, the County Commissioners allocated \$28,275.00 for maintaining and continually updating the wide variety of legal reference materials. Court Administration manages the Law Library

budget and the Law Clerks file the day-to-day manual updates of reference materials. The Court Computer Information Systems department updates and maintains the computer systems.

In the fall of 2006, the Carbon County Bar Association, with input from the Court, undertook a project to bring the paper volumes up to date and to increase the selection of legal research materials in the Library. Also, the Bar intends to create a private area for attorneys to use for legal research as well as to implement a three year commitment to help finance improvements.

The Law Library is open to the public between 8:30 a.m. and 4:30 p.m., Monday through Friday.

LAW DAY 2006



Desiree Brougher, Esquire, addresses the jury at the 2006 Law Day festivities.



Assistant District Attorney James Lavelle questions the witness.

Each year the Young Lawyers Section of the Carbon County Bar Association organizes the annual Law Day activities. In 2006, the Young Lawyers staged a mock rape trial for area high school students, teachers and any other interested members of the public. This gives the audience a general overview of how the legal system works in criminal cases.



Tipstaff Sandra Flanigan swears in a witness at the mock trial held on Law Day 2006.

Initially, the students are brought into Courtroom No. 1 of the Carbon County Courthouse and view the same jury orientation video as all prospective jurors are shown. Next, fourteen (14) students are selected to sit as jurors (12 jurors with 2 alternates) for the mock trial. Members of the Young Lawyers Division play the roles of the attorneys, who question and cross-examine those testifying, and testify as witnesses. An actual uniformed Police Officer portrays the role of the investigating officer and a local Magisterial District Judge presides over the trial and instructs the jury on the law.



Courtroom No. 1 is used on Law Day to hold the mock criminal trial for students of various high schools.

**PENNSYLVANIA JUSTICE NETWORK -
JNET**

The Pennsylvania Justice Network (JNET) is a secure virtual system for the sharing of justice information by authorized users that provides a common on-line environment where offender records and other justice information from participating agencies can be accessed.

One of the major benefits of JNET is community safety, because it provides law enforcement officers with immediate access to critical criminal justice information. Other benefits include: reduced costs associated with defendant and offender processing; reduced delays in processing criminal cases; improved prosecution efforts, reduced delays through timely access of case information; and minimized risk of releasing offenders who could pose a public threat. Available photos can prevent innocent people from being arrested due to misidentification. Mobile access is available to state and local officers via laptops in their vehicles.

All 67 counties are connected and using JNET. Carbon County conducted an informational meeting on May 19, 2003, to kick-off JNET access.



David Naisby, JNET Coordinator, demonstrates the functions and uses of JNET.

**COMMON PLEAS CRIMINAL
COURT CASE MANAGEMENT SYSTEM
(CPCMS)**

The Common Pleas Criminal Court Case Management System (CPCMS) provides an automated and integrated statewide network of scheduling, docket entries, forms and financial accounting functions at the trial court level. Because disparate county criminal court automation systems across Pennsylvania are unable to instantly share information on dockets, warrants and defendants, the new criminal case management system allows case information to move more expeditiously and consistently through the criminal courts. All 67 counties operate in a single uniform way of criminal case processing. Cases are transferred in from the Magisterial District Judge System, other Judicial Districts and the Appellate Courts. Some of the benefits of statewide information include: a single uniform source of electronic data exchange; public and secure web docket sheets that provide detailed criminal information at no cost; data exchange to JNET that allows CPCMS to obtain PennDot photos for warrants and locate inmate movement; integration between County Courts, AOPC and others; uniform rule-based forms; and statewide bail and sentencing information.

Migration/conversion teams worked with Carbon County and system vendors to collect and review existing case management database schema and sample data. David Fink of TriData Corporation provided several schema and data files for our County to the consulting groups. The consulting group setup and configured the server and installed software and icons on our computers.

Carbon County's training was held from August 8, 2005, through September 2, 2005. The system went live on August 22, 2005.

CARBON COUNTY CRIMINAL JUSTICE ADVISORY BOARD

Historically, there have been many reasons to establish Criminal Justice Advisory Boards (CJAB) – a County’s technological need to connect with JNET; a County’s need to address criminal justice issues it may be facing; the development of a plan for offender reentry into the community; or the implementation of a program such as intermediate punishment. CJAB’s have been vital in developing plans and innovative problem solutions, as well as, provide the impetus for collaborative approaches in all aspects of our local criminal justice system. This CJAB will be instrumental in the development of the County’s Strategic Plan. Minimum standards have been established for all CJAB’s. CJAB bylaws will be used to document the minimum standards and will be used by the Pennsylvania Commission on Crime and Delinquency (PCCD) to determine funding awards.

On November 7, 2003, the PCCD released a funding announcement that monies would be available under the “Enhancement of County Criminal Justice Advisory Board Efforts Program Funding Guidelines”. Counties were eligible to submit concept papers to PCCD before December 12, 2003, in order to develop or enhance Criminal Justice Advisory Boards. The Carbon County Criminal Justice Advisory Board was formed on October 20, 2003, and created the Grant Initiatives Sub-Committee chaired by Ronald S. Kokinda. This committee met on several occasions and developed a concept paper that was submitted to PCCD.

On March 9, 2004, the Pennsylvania Commission on Crime and Delinquency awarded the County a grant in the amount of \$45,555.01 to establish a Criminal Justice Advisory Board. This grant period began on April 1, 2004, and lasted for a period of one

year. Second, third, and fourth year funding was available to support this initiative.

A major provision of this grant was to purchase hardware for the Pennsylvania Justice Network (JNET) that will greatly enhance community safety by allowing local law enforcement agencies with immediate access to critical criminal justice information. It also included software for virus protection, licensing fees and back-up capability. The equipment is installed in the courthouse in the Court’s Computer Information System division. The Virtual Private Network (VPN Connectivity) allows thirteen (13) police departments to connect to the JNET server in order to exchange and share information quickly.

**BOARD APPLIES AND RECEIVES
GRANT MONIES TO CONNECT
CARBON COUNTY CORRECTIONAL
FACILITY & 911 CENTER TO JNET**

On July 27, 2004, the Criminal Justice Advisory Board’s Executive Committee convened and authorized an application to apply for additional grant monies through the PCCD funding initiative. Counties were eligible to submit concept papers to PCCD before July 30, 2004. The concept paper centered on applying for approximately \$11,000 in funding to establish connectivity of JNET to the Carbon County Correctional Facility and the Carbon County Emergency Center. A grant in the amount of \$10,673 was awarded by PCCD on December 14, 2004, and commenced in January 2005. Second, third, and fourth year funding will be available to support this initiative.

**ADULT PROBATION AND PAROLE
OFFICE**



Chief Adult Probation Officer Ronald Kokinda, standing in the back row, second from right, with staff members. Front row (L to R), Part-Time Clerk I Michelle Hamm, Probation Officer I Jillian Leslie, Probation Officer II/Gagnon Hearing Officer Tammy Hicks. Second row (L to R), Probation Officer II Matthew Kimmel, Probation Officer II Kimberly Cooper, Probation Technician I Cheryl Salay. Third row (L to R), Deputy Chief Adult Probation Officer Joseph Berke, Probation Officer II Clifford Eckhart, Chief Ronald Kokinda and Probation Officer II Joseph Bettine.

**Chief Adult Probation/Parole Office:
Ronald S. Kokinda**
**Deputy Chief Adult Probation Officer:
Joseph J. Berke**
**Probation Officer II/Gagnon Hearing
Officer: Tammy Hicks**
**Probation Officer II:
Matthew Kimmel, Joseph Bettine, Clifford
Eckhart, Kimberly Cooper**
Probation Officer I: Jillian Leslie
Probation Technician I: Cheryl Salay
Part-Time Clerk I: Michelle Hamm
Phone: (570) 325-4226
Fax: (570) 325-4250

This department’s primary mission is to maintain public safety and protection through the active supervision, control, and surveillance of the offender. Secondly, it strives to reintegrate the offender into society without further criminal behavior.

WORKLOAD STATISTICS

As of December 31, 2006, the average active caseload for each field officer was 144 offenders and 171 cases. This office maintained supervision over 1,023 active cases and 865 active offenders.

During this reporting period, the number of offenders added increased 34.3% from 725 in 2003 to 974 in 2006. Revocation petitions rose 89.7% from 195 in 2003 to 370 in 2006. The Court revoked 168 offenders in 2006 as compared to 92 offenders in 2003 representing an 82.6% increase.

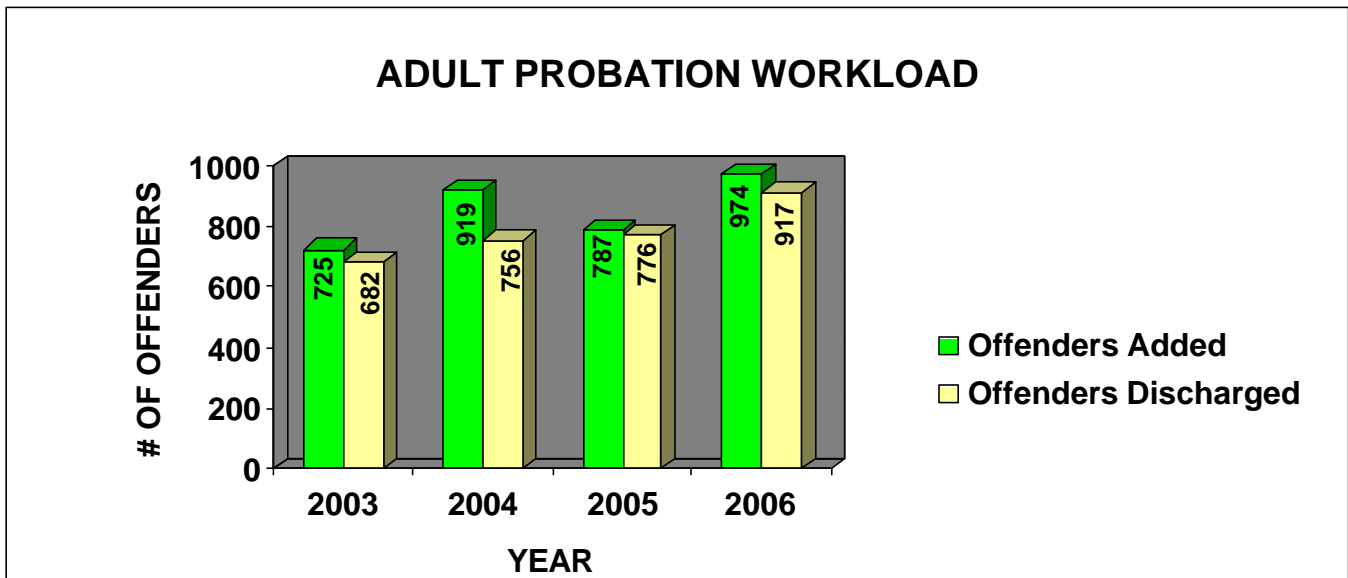
State funding has decreased 11.2%. Collection of the offender supervision fee increased 23.5%. This fee was increased to \$50.00 per offender/per month in 2005.

PETITIONS & REVOCATIONS

	2003	2004	2005	2006	% Change '03 - '06
Petitions Filed	195	240	273	370	89.7%
Revocations	92	116	137	168	82.6%

WORKLOAD INCREASES 34.3%

	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>% Change 2003 - 2006</u>
WORKLOAD					
Staff Members	10	10	10	10	0%
Offenders Added	725	919	787	974	34.3%
Offenders Discharged	682	756	776	917	34.4%
SERVICES					
Avg. Offenders Supervised Per Staff	106	133	130	144	35.8%
Video Conferences	157	164	198	129	-17.8%
Pretrial Services Added/Deleted	110 / 112	173 / 138	156 / 154	192 / 183	74.5 / 63.4 %
Bail Reports	112	88	134	141	25.9%
IPP (Added/Deleted)	29 / 31	28 / 32	27 / 27	26 / 29	-10.3 / -6.5%
IP Investigations	61	60	52	56	-8.2%
Presentence Reports	115	93	96	88	-23.5%
Preparole Investigations	79	74	43	49	-40.0%
Other Court Investigations	400	461	365	522	30.5%
ARD Investigations	182	227	181	182	0%
Violation Reports	345	324	228	267	-22.6%
Detainers/Warrants	96	133	121	143	50.0%
Community Service Case/Hrs	62 / 2,830	62 / 1,325	61 / 1,462	105 / 2,815	69.4 / -.5%
REVENUE & FUNDING					
Grant-In-Aid Program	\$115,508	\$79,063	\$76,246	\$72,373	-37.3%
IPP Grant	\$6,523	\$4,670	\$4,670	\$4,670	-28.4%
Offender Supervision Fee Fund	\$118,295	\$115,029	\$138,968	\$146,050	23.5%
Electronic Monitoring Fund	\$10,572	\$12,107	\$10,698	\$8,821	-16.6%
Supervision Fee Reimbursement	\$175,858	\$136,158	\$155,263	\$128,762	-26.9%
Other Reimbursement	\$0	\$4,929	\$7,095	\$18,092	100.0%
Total Revenue	\$426,756	\$351,956	\$392,940	\$378,768	-11.2%
Total Expenses	\$530,147	\$509,738	\$531,237	\$545,245	2.8%
Costs to Taxpayers	\$103,391	\$157,782	\$138,297	\$166,477	61.0%



COURT COMPUTER INFORMATION SYSTEMS



Court Computer Information Systems Director Ann Schlough (R), with Rebecca Collura, Computer Assistant (L), provides full 24/7 network/technical support to all Court and Court-related office users.

Court Computer Information Systems
Director: Ann M. Schlough
Computer Assistant: Rebecca Collura
Phone: (570) 325-4202
Fax: (570) 325-9221

Since the late 1980s, the Carbon County Court System has been a leader in the use of computer technology. A local area network handles all word processing, statistical applications, email, AntiVirus and Internet access.

A UNIX server hosts a state-of-the-art case information and case management system for all civil, orphans' court, jury selection and court scheduling, networking all Court and Court-related offices. This unique and fully integrated system allows the sharing of one database for the input and dissemination of information to all users and makes information immediately available on-line. Remote public access is accessible free of charge to the public and is available twenty-four hours a day, seven days a week.

The Juvenile Case Management server allows the Juvenile Probation Office to process statistics and report dispositions and qualifying events on every case to the Juvenile Court Judge's Commission. It also tracks community service, restitution and DNA testing.

A wide-area network connects a satellite office, located at 76 Susquehanna Street, Jim Thorpe, to the Court network for the sharing and inputting of data with other departments.

A web server hosts the Court web page and features local civil, orphans' court and criminal rules, administrative orders, daily, weekly and monthly Court calendars, downloadable forms and information on all Court and Court-related Offices. The website can be found at www.carboncourts.com.

In addition to providing technical support, this office is responsible for a security database providing controlled door access to the Courthouse, Pennsylvania Justice Network (JNET) access for criminal justice agencies utilizing virtual private networks and local support to the statewide Common Pleas Criminal Court Case Management System (CPCMS) used for the processing of all criminal and juvenile matters. During this reporting period, support calls averaged 1,400 calls per year and programming requests averaged 110 per year.

NEW COMPUTER ASSISTANT

In March 2006, Rebecca Collura was hired as the Computer Assistant. She provides technical support to all Court and Court-related offices and helps ensure continuity of services at all times.

MAGISTERIAL DISTRICT COURTS



Magisterial District Judges seated (L to R) Joseph D. Homanko and Edward M. Lewis. Standing (L to R) Bruce F. Appleton and Casimir T. Kosciolk.

District Court #56-3-01
Magisterial District Judge:
 Edward M. Lewis
Office Supervisor II:
 Madeline Reabold
Secretary II:
 Kathleen Reihman
Secretary I:
 Carla Bartelt and Wendy Smelas
Secretary I Floater:
 Kimberly Houser
Phone: (570) 325-2751
Fax: (570) 325-5538

District Court #56-3-04
Magisterial District Judge:
 Joseph D. Homanko, Sr.
Office Supervisor I:
 Mary Schmitt
Secretary II:
 Karen Rayno
Secretary I:
 Kimberly Butala and Lenora Gera
Phone: (570) 427-4100
Fax: (570) 427-8730

District Court #56-3-02
Magisterial District Judge:
 Bruce F. Appleton
Office Supervisor I:
 Gail Berger
Secretary II:
 Dawn Kneas
Secretary I:
 Karol Knappenberger
Phone: (610) 826-3707
Fax: (610) 826-6914

District Court #56-3-03
Magisterial District Judge:
 Casimir T. Kosciolk
Office Supervisor I:
 Dawn Orsulak
Secretary I:
 Donna Peck
Phone: (570) 645-3024
Fax: (570) 645-5544

	2003	2004	2005	2006	% Change '03 – '06
WORKLOAD					
Staff	13	13	13	13	0%
Caseload					
Filed	19,715	23,274	22,915	23,283	18.10%
Disposed	19,683	22,928	22,786	23,020	16.95%
SERVICES					
Collections	\$2,542,538	\$3,140,942	\$3,110,161	\$3,221,982	26.72%
REVENUE <i>(TURNED OVER TO THE COUNTY)</i>					
Fees/Fines/Costs	\$341,276	\$425,100	\$429,821	\$456,942	33.89%
TOTAL COUNTY REVENUE	\$341,276	\$425,100	\$429,821	\$456,942	33.89 %
TOTAL OPERATIONAL EXPENSES	\$612,657	\$641,537	\$643,704	\$626,780	2.31%
COSTS TO TAXPAYERS	\$271,381	\$216,437	\$213,883	\$169,838	-37.42%

**MAGISTERIAL DISTRICT COURTS –
CASE FILINGS INCREASE 18%**

	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>% Change '03 - '06</u>
Traffic					
Cases Filed	13,636	16,833	16,509	16,414	20%
Cases Disposed	13,536	16,622	16,273	16,501	22%
Summary & Non-Traffic					
Cases Filed	3,579	3,823	3,926	4,204	17%
Cases Disposed	3,670	3,705	4,067	3,959	8%
Misdemeanor & Felony					
Cases Filed	953	1,006	961	983	3%
Cases Disposed	989	1,030	959	976	-1%
Civil					
Cases Filed	1,547	1,612	1,519	1,682	9%
Cases Disposed	1,488	1,571	1,487	1,584	6%
Total Filed	19,715	23,274	22,915	23,283	18%
Total Disposed	19,683	22,928	22,786	23,020	17%



Magisterial District Judge Lewis's staff, seated, Office Supervisor II Madeline Reabold, standing (L to R), Secretary I Carla Bartelt, Secretary II Kathleen Reihman, and Secretary I Wendy Smelas.

**JOSEPH D. HOMANKO, SR. ELECTED
MAGISTERIAL DISTRICT JUDGE**

Joseph D. Homanko, Sr. was sworn in as Magisterial District Judge on February 6, 2004, for Carbon County Magisterial District Court 56-3-04. Joseph is a retired Police Chief from Beaver Meadows and previously worked at Kutztown University attaining the rank of Sergeant. Judge Homanko is a member of District 10 Special Court Judges Association of Pennsylvania, where he served as Vice President from 2005-2006 and is serving as President for 2007-2008. He is a registered PIAA Official for various sports and resides in Beaver Meadows with his wife Lisa and three children.

TOTAL CASE FILINGS BY DISTRICT					
	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>% Change '03 - '06</u>
56-3-01 (Lewis)	4,199	4,779	4,811	4,610	10%
56-3-02 (Appleton)	5,226	6,767	6,107	5,946	14%
56-3-03 (Kosciolek)	3,466	4,042	2,911	3,128	-10%
56-3-04 (Homanko)	6,824	7,686	9,086	9,599	41%
TOTAL CASE FILINGS	19,715	23,274	22,915	23,283	18%

**MAGISTERIAL DISTRICT JUDGE
EDWARD M. LEWIS
RECEIVES JEFFERS AWARD**

Magisterial District Judge Edward M. Lewis was awarded the Jeffers Award for outstanding service to the Special Court Judges Association of Pennsylvania (SCJAP). Nominees are selected from each of Pennsylvania's twelve districts. District 10, which includes Berks, Carbon, Lehigh, Monroe, Northampton, and Schuylkill Counties, nominated Judge Lewis.

Serving as Magisterial District Judge since 1986, Judge Lewis continues to serve the County and Commonwealth with his experience. Among his many achievements, Judge Lewis has served SCJAP as District Ten President for seven years and has worked in leadership roles in various committees. Recently, he was appointed by the Governor to the Pennsylvania Motor Carrier Safety Advisory Committee representing the interests of all Magisterial District Judges.

2003 – 2006 CARBON COUNTY QUADRENNIAL JUDICIAL REPORT

MAGISTERIAL DISTRICT COURTS



District Judge Appleton's staff, seated, Office Supervisor I Gail Berger, standing (L to R) Secretary II Dawn Kneas, and Secretary I Karol Knappenberger.

	2003	2004	2005	2006
Municipalities	\$225,718	\$292,669	\$294,983	\$275,656
Commonwealth	\$1,497,159	\$1,805,642	\$1,829,188	\$1,899,023
Carbon County	\$341,276	\$425,100	\$429,821	\$456,942
Miscellaneous	\$9,863	\$49,418	\$20,909	\$26,181
Award/Cost/Rest.	\$57,724	\$25,501	\$56,933	\$54,870
Constable	\$85,121	\$101,875	\$122,430	\$122,856
Sheriff	\$0	\$0	\$0	\$0
Bail/Security	\$195,862	\$302,798	\$213,913	\$232,159
School Districts	\$8,500	\$6,068	\$9,654	\$7,391
Total Disbursed	\$2,421,223	\$3,009,071	\$2,977,831	\$3,075,078

MAGISTERIAL DISTRICT JUDGE PAUL J. HADZICK RETIRES

Effective August 16, 2003, Paul Hadzick retired from his commission as Magisterial District Judge of Carbon County District Court 56-3-04. Paul served Carbon County for 19 years dealing with a high volume of traffic cases resulting from the Pennsylvania Turnpike and Interstate in his area. Senior District Judge Hadzick continues to sit in various assignments around the Commonwealth.



District Judge Kosciolk's staff, (L to R) Office Supervisor I Dawn Orsulak and Secretary I Donna Peck.

SECRETARY I FLOATER POSITION

In January 2007, the Court was successful in establishing a Secretary I Floater position for the Magisterial District Courts. This position will be utilized to cover vacations and extended sick absences in all four district court offices, providing much needed help with ever increasing caseloads.



District Judge Homanko's staff, seated, Secretary I Kimberly Butala, standing (L to R), Secretary II Karen Rayno, Office Supervisor I Mary Schmitt, and Secretary I Lenora Gera.

DOMESTIC RELATIONS OFFICE



Domestic Relations Director Mary Kunkel, standing far right with staff members, seated (L to R) are Specialist II Susan Bolton, Specialist II Vera Koin and Department Clerk I Christine Yamrich. Standing (L to R), Assistant Director Robert Reese, Intake Officer II Stacy Kattner, Officer I Eric Johnston, Specialist II Kathleen Hontz, Support Representative Karen Gasker, Officer I Bridget Smith, Officer II Michael Hydock and Director Mary Kunkel.

WILLIAM G. SCHWAB, ESQUIRE
APPOINTED HEARING OFFICER

Effective April 9, 2005, the Domestic Relations Office changed from having two hearing officers to utilizing one to handle the de novo support hearings. William G. Schwab, Esquire was appointed by President Judge Roger N. Nanovic to fill this post.



Domestic Relations Hearing Officer
William G. Schwab, Esquire

Domestic Relations Director: Mary Kunkel
Assistant Director: Robert Reese
Officer II: Michael Hydock
Officer I: Bridget Smith and Eric Johnston
Intake Officer II: Stacy Kattner
Support Representative: Karen Gasker
Specialist II: Vera Koin, Kathleen Hontz, and Susan Bolton
Department Clerk I: Christine Yamrich
Part-Time Enforcement Officer: Pierre Guichardan
Hearing Officer: William G. Schwab, Esquire
Phone: (570) 325-2681
Fax: (570) 325-2443

NEW ENFORCEMENT REMEDY

The Child Support Lien Network (CSLN) became part of the enforcement process in November of 2005, which combines data from delinquent child support defendant records from a number of states into one database. This data is collected for the purpose of intercepting insurance settlements owed on support cases where the defendant is delinquent. The settlements include personal injury suits, workman compensation lump sum settlements and periodic payment claims.

COLLECTIONS INCREASED 6.8%

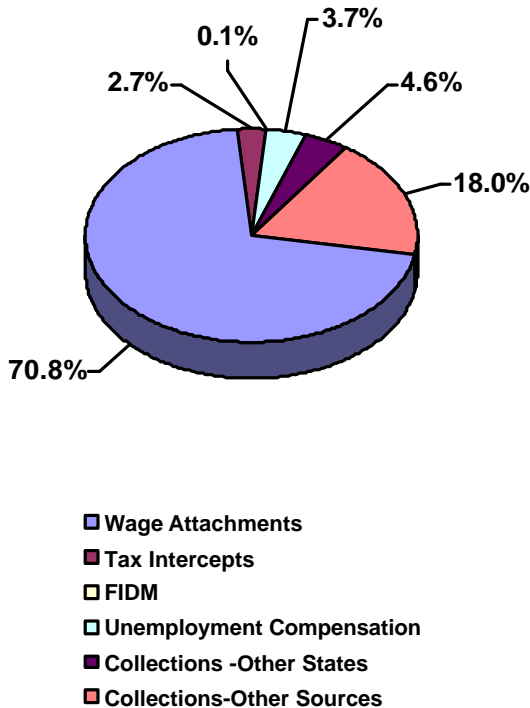
**SUPPORT PAYMENTS
GO PAPERLESS**

In August 2005, the State Collection and Disbursement Unit (SCDU) stopped issuing paper checks. Payments are either deposited to the Plaintiff’s bank account or Pennsylvania EPPICard. This card is a debit card with easy access to cash and services.

Defendants can also make payments by using a credit card or Western Union. To accomplish this, a new website, www.e-childspay.com, became available on February 6, 2006.

	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Workload				
Staff	11	11	11	11
Active Caseload	2,386	2,464	2,431	2,324
Collections	\$7,274,737	\$7,558,706	\$7,635,802	\$7,768,374
Filings	1,209	1,381	1,294	1,366
Dispositions	1,031	1,310	1,364	1,341
Child Support Services				
Paternity Established	25	23	17	19
Support Orders	1,031	1,310	1,364	1,341
Hearings-Support/Modify				
Domestic Relations Officer	892	918	860	897
Hearing Officer	146	131	109	119
Judge	16	11	24	31
Other	1	1	0	0
Contempt Hearings				
Scheduled	404	479	328	372
Resolved	234	325	208	250
Budget				
Expenditures	\$631,853	\$656,780	\$646,811	\$623,674
Revenue & Funding				
IV-D Reimbursements	\$387,976	\$448,260	\$376,804	\$416,516
Incentives	\$38,240	\$164,885	\$70,827	\$70,142
Other Revenue	\$7,425	\$8,481	\$10,220	\$9,120
Total Revenue	\$433,641	\$621,626	\$457,851	\$495,778
Total Expenses	\$631,853	\$656,780	\$646,811	\$623,674
Costs to Taxpayers	\$198,212	\$35,154	\$188,960	\$127,896

**METHODS OF
COLLECTION
2006**



COLLECTIONS SOURCES

	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Intercept Refund Offset (IRS)	\$171,596	\$178,158	\$203,007	\$189,586
State Tax Refund Offset	\$21,286	\$17,782	\$23,363	\$23,673
Unemployment Compensation	\$388,398	\$290,232	\$313,224	\$286,397
FIDM (Financial Institution Data Match)	\$3,731	\$15,840	\$22,477	\$9,728
Wage Attachment	\$5,086,819	\$5,422,843	\$5,408,608	\$5,501,142
Collection – Other States	\$355,013	\$352,219	\$390,820	\$356,991
Collection – Other Sources	\$1,247,894	\$1,281,632	\$1,274,303	\$1,400,857
Total	\$7,274,737	\$7,558,706	\$7,635,802	\$7,768,374

JUVENILE COURT OFFICE



Chief Juvenile Probation Officer James Dodson standing third from the left, with his staff, seated (L to R) Secretary II Crystal Smith, Deputy Chief Juvenile Probation Officer Kimmy Mulik and Department Clerk I Joanne Recla. Standing (L to R,) Probation Officer II Paul Zona, Probation Officer I Kevin Barry, Chief James Dodson and Probation Officer II Joseph Greco.

Chief Juvenile Probation Officer: James E. Dodson
Deputy Chief Juvenile Probation Officer: Kimmy Mulik
Probation Officer II: Paul Zona and Joseph Greco
Probation Officer I: Kevin Barry
Juvenile Court Secretary II: Crystal Smith
Department Clerk I: Joanne Recla
Phone: (570) 325-2417
Fax: (570) 325-8827

This department’s mission is to provide delinquent youths with programs of supervision, care, and rehabilitation utilizing a Balanced Approach of Restorative Justice (BARJ) of the community, accountability for offenses committed, and development of competencies in order to become responsible and productive members of the community. The juvenile must be between 10 to 21 years of age and have committed the felony and misdemeanor prior to their 18th birthday.

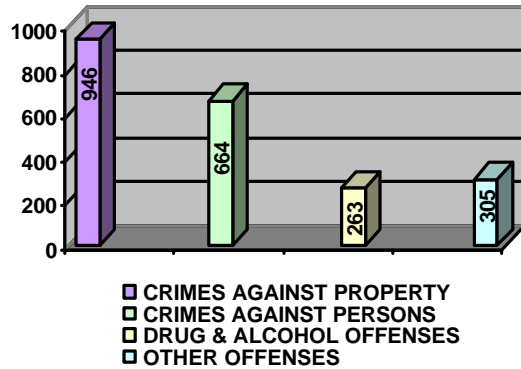
COMPETENCY DEVELOPMENT

This department offers group counseling for parents and competency development groups for our juvenile clients.

INTAKE

The Deputy Chief reviews all case material, conducts an intake interview with the juvenile and his/her guardian, recommends a disposition, and assigns the case to a Probation Officer for compliance and supervision.

JUVENILE CASELOAD BY CRIMINAL CHARGES 2003-2006



COMMUNITY-BASED PROBATION

Juvenile Probation Officers visit the Senior and Junior High Schools of Leighton, Palmerton, Weatherly, Panther Valley, and Jim Thorpe, as well as the Carbon County Vocational School on a daily rotating basis to deal with juveniles who are under the Juvenile Probation Office’s supervision. Weekly contacts ensure that juveniles are in compliance with the conditions of their supervision. As a member of the school’s Student Assistance Program, information is exchanged, resulting in the development of appropriate treatment plans for juveniles.

STUDENT VISITATION PROGRAM

In an effort to expose students to the Judicial System, all area schools are given the opportunity to witness actual court proceedings. Approximately 197 students from area school districts have participated in this program from 2003-2006.

HOME ELECTRONIC MONITORING

Since 2001, Carbon County utilizes a House Arrest/Home Electronic Monitoring Program. This program allows juveniles to reside at home, attend school, counseling, and other community-based treatment programs while holding them accountable for their actions by restricting their freedom.

Each juvenile wears an ankle bracelet transmitter for monitoring. The system tracks the juveniles as they come and go from their homes. If the juvenile leaves the house at an unapproved time, the monitoring company notifies local authorities in order to take appropriate actions.

From 2003 to 2006, 17 juveniles have participated in the program, saving the county \$192,470 in juvenile placement costs.

COMMUNITY SERVICE PROGRAM

This program enhances the Balanced Approach of Restorative Justice by assisting area non-profit organizations, such as fire companies, churches, local schools, townships, boroughs, and civic organizations with numerous projects that benefit the community.

During this reporting period, a total of 258 juveniles were supervised and completed 10,251 hours of community service work. A total of 194 additional juveniles completed 4,351 hours in lieu of payment of fines for summary convictions at the Magisterial District Court level. Lastly, 48 juveniles participated in a restitution program, completing 2,897 hours of community service work, with \$14,818 being earned and paid directly to victims of juvenile crime.

	2003	2004	2005	2006	% Change '03 - '06
WORKLOAD					
Staff	7	7	7	7	0%
Intake Referrals (cases)	177	181	223	212	19.77%
Charge Dispositions	230	159	192	258	12.17%
SERVICES/PLACEMENTS					
Client Supervision-month avg.	106	105	92	111	4.72%
Group Home	2	0	2	2	0%
Residential	41	45	36	44	7.30%
YFC/YDC	10	16	10	5	-0.50%
Detention	13	20	17	23	76.92%
Day Treatment	11	13	4	4	-63.64%
Total Juveniles Placed	77	94	69	78	1.30%
REVENUE & FUNDING					
Reimbursement from DPW	\$332,015	\$346,637	\$436,313	\$451,121	35.87%
Grants Pro-Rated	\$113,362	\$171,786	\$260,343*	\$107,709	-4.99%
Juvenile Court Costs	\$3,445	\$3,200	\$1,928	\$4,537	31.70%
Computer Fees	\$1,490	\$1,379	\$721	\$1,191	-20.07%
Supervision Fees	\$9,076	\$6,069	\$8,956	\$17,156	89.03%
Community Service Fees/Litter	\$2,217	\$8,801	\$11,493	\$821	-62.97%
Electronic Monitoring Fee	\$73	\$148	\$60	\$289	295.89%
Total Revenue	\$461,678	\$538,020	\$719,814	\$582,824	26.24%
Total Expenses	\$349,976	\$373,323	\$399,175	\$351,485	0.43%
Placement & Detention Costs	\$688,585	\$879,227	\$816,033	\$856,468	24.38%
Total Costs	\$576,883	\$714,530	\$495,394	\$625,129	8.36%
* 2004/2005 & 2005/2006 grant for Specialized Services and 2004 -2005 Litter Brigade, all reported in 2005.					

VICTIM / WITNESS SERVICES

A Victim/Witness brochure provides information on how to participate in all phases of the Juvenile Court process, including the submission of a restitution claim against the juvenile. It provides an avenue to the victim to express his/her expectations regarding disposition of the case. Under Federal grant dollars, the Victim's Resource Center Coordinator assists victims with filling out required paperwork, contacts them as to important times and dates of hearings, and accompanies the victims to Court, if requested.

**OFFICE OF
CHILDREN & YOUTH**



Administrator II Sallianne

Administrator II: Sallianne Newton
County Casework Supervisor: Marianne Bachman and Megan Lukasevich
County Caseworker II: Amy Chickilly, Jill Geissinger, Rachael Goodhile, Kevin Kane, Chris McLaughlin and Jared Soto
County Caseworker I: Janelle Balliet, Toby Butz and Mike Davis
County Fiscal Officer I: Anissa Nunemacher
Fiscal Assistant: Marie Rusnak
Clerk Typist I: Lisa O'Donnell
Part-Time Clerk Typist I: Judy LaSella
Phone: (570) 325-3644
Fax: (570) 325-3647

The Carbon County Office of Children & Youth is a mandated County operated system. The State Legislature passes the laws and the State Department of Public Welfare issues policies and regulations whereby each county has some discretion in exactly how it provides the services to their citizens.

This Agency has a responsibility to the Judicial System and acts as an arm of the Court in juvenile dependency (child neglect and abuse) cases. The Agency must operate in substantial compliance with all applicable

state regulations in order to maintain a state license to operate.

The responsibilities of the Carbon County Children & Youth Agency include:

- ? Providing services to families to help prevent and/or resolve problems of child abuse, dependency and neglect;
- ? To promote, improve and sustain the quality of family life;
- ? Consistent with a child's safety, make all reasonable efforts to avoid out-of-home placement of the child;
- ? To protect and serve Carbon County's most vulnerable citizens; and
- ? If the Juvenile Court places a child outside of the home, work with the child and family to return the child home as soon as possible; or, if that is not possible, recommend alternative permanent placement to the Juvenile Court.

CHILDREN & YOUTH FILING AND DISPOSITIONS

2003-2006

	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Abuse/Neglect Filings*	57	51	52	50
Abuse/Neglect Dispositions	59	52	50	52
Status Filings**	34	35	35	31
Status Dispositions	34	36	34	31
Total Filings	91	86	87	81
Total Dispositions	93	88	84	83

**An Abuse/Neglect case alleges non-accidental physical or mental injuries to a child; sexual abuse or exploitation; abandonment; insufficient food, housing, medical care, shelter or supervision which endangers the child's life or development; parent's inability to care for a child due to their own mental health, etc.*

***A Status Offense is an act or conduct, which is recognized to be an offense, but only when committed or engaged in by a juvenile and which can be adjudicated only by a juvenile court. Included here are: curfew violations, incorrigibility, juveniles alleged to be runaways, truancy, uncontrollable behavior, etc.*

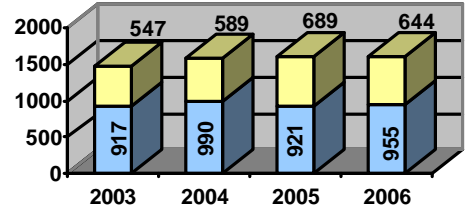
2003 – 2006 CARBON COUNTY QUADRENNIAL JUDICIAL REPORT

OFFICE OF THE PUBLIC DEFENDER



Chief Public Defender Gregory Mousseau, Esquire, second from right with Assistant Public Defenders (L to R), George Dydynsky, Esquire, Paul Levy, Esquire and Joseph Perilli, Esquire.

66% OF THE CRIMINAL/JUVENILE COMMON PLEAS CASELOAD WERE REPRESENTED BY PUBLIC DEFENDERS



■ PD APPOINTMENTS INCLUDING REVOCATIONS
 ■ CRIMINAL/JUVENILE CASES FILED AT THE COMMON PLEAS LEVEL

Chief Public Defender:
Gregory L. Mousseau, Esquire
1st Assistant Public Defender:
George T. Dydynsky, Esquire
Assistant Public Defenders:
Paul J. Levy, Esquire, and
Joseph Perilli, Esquire
Legal Secretary III: Sheila Rehrig
Part-Time Legal Secretary:
Marcy Hunsicker
Phone: (570) 325-2343
Fax: (570) 325-5031

**PUBLIC DEFENDER APPOINTMENT RATE
 INDIGENT DEFENDANTS MAKE UP AN
 AVERAGE OF 66% OF THE CRIMINAL/JUVENILE
 COMMON PLEAS CASELOAD***

Year	Total Misdemeanor/ Felony Complaints	Criminal/ Juvenile Complaints Filed	Public Defender Appointments	% of PD Appointments over Criminal/Juvenile Complaints
2003	953	917	547	60%
2004	1,006	990	589	60%
2005	961	921	689	75%
2006	983	955	644	67%
4-Year Average	976	946	617	66%

*All Figures as reported by CPCMS since August 2005.

Year	Court Appointed Conflict Counsel	% of Total Misdemeanor / Felony Complaints	Conflict Counsel Costs
2003	53	5.6%	\$30,241
2004	56	5.6%	\$31,638
2005	41	4.3%	\$25,315
2006	30	3.1%	\$39,483
4-Year Average	45	4.7%	\$31,669



Part-Time Legal Secretary Marcy Hunsicker (L) and Legal Secretary III Sheila Rehrig (R) assist indigent defendants charged with a crime who cannot afford a lawyer obtain legal counsel.

OFFICE OF THE DISTRICT ATTORNEY

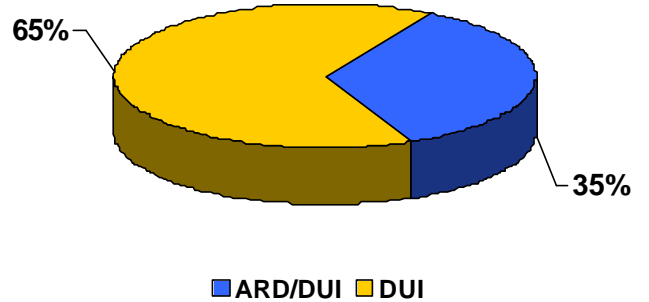


District Attorney Gary F. Dobias, Esquire, seated center with Assistant District Attorneys William McDonald, Esquire (L) and Jean Engler, Esquire (R). Standing (L to R), Assistant District Attorneys Michael Greek, Esquire, James Lavelle, Esquire, Joseph Matika, Esquire and Michael Muffley, Esquire.

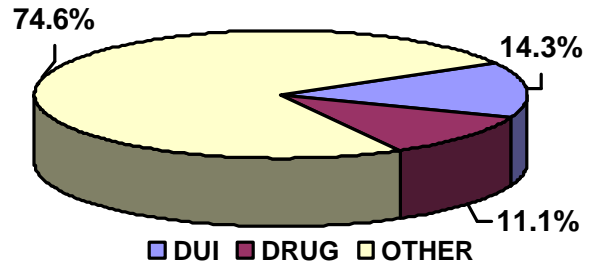
District Attorney: Gary F. Dobias, Esquire
First Assistant District Attorney:
William McDonald, Esquire
Assistant District Attorneys:
Jean Engler, Esquire, Joseph Matika,
Esquire, Michael Greek, Esquire, Michael
Muffley, Esquire, and James Lavelle,
Esquire
County Detective: John Mauro
Victim/Witness Coordinator: Joseph
Pampanin
Office Administrator: Nancy Juracka
Deputy Office Administrator: Mary Rayno
Secretary II: Joan O'Donnell
Phone: (570) 325-2718
Fax: (570) 325-3525

**ACCELERATED REHABILITATION
DISPOSITION (ARD) PROGRAM**
35% OF THE 244 DUI OFFENDERS
REFERRED TO ARD*

**ARD/DUI PERCENT DISPOSITIONS
2006**

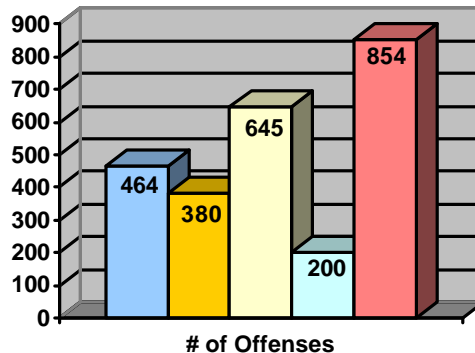


**CRIMINAL PROFILE PERCENTAGE
DUI & DRUG OFFENDERS 2006***



PROFILE OF ADULT CRIMINAL OFFENSE CONVICTIONS
FOR 2006*

- Crimes Against Persons
- Crimes Against Property
- Drug / Alcohol Crimes
- Crimes Against Public Peace
- Other Crimes



*Figures as reported by CPCMS since August 2005.

2003 – 2006 CARBON COUNTY QUADRENNIAL JUDICIAL REPORT



District Attorney's staff, standing (L to R), Office Administrator Nancy Juracka, Secretary II Joan O'Donnell and Deputy Office Administrator Mary Rayno.



County Detective, John Mauro (L), and Victim/Witness Coordinator, Joseph Pampanin (R).

DISTRICT ATTORNEY WORKLOAD***

During this reporting period, the District Attorney's Office handled 1,925 guilty pleas, 945 juvenile hearings, 30 trials, 947 miscellaneous hearings, conducted 1,758 pretrial conferences and approved ARD to 747 cases.

While alcohol and drug cases account for approximately 25% of the 2006 filings, crimes against persons and against property account for one-third of the criminal convictions.

	2003	2004	2005	2006
Felony/Misdemeanor Complaints Filed	953	1,006	961	983
Summaries Filed	56	81	53	68
A.R.D.	185	215	168	179
Pre-Trial Conference	332	441	437	548
Guilty Pleas	452	455	421	597
Sentencings *	139	139	154	101
Trials Held	7	13	7	3
Hearings **	245	265	119	318
Juvenile Hearings	237	238	205	265
PCRA Appeals	3	7	6	6
Superior Court Appeals	16	10	8	4
Supreme Court Appeals	7	6	5	4
Federal District Court	1	2	4	2
Third Circuit Appeal	1	0	0	0
U.S. Supreme Court	1	0	0	0

* Number of sentencings held separately from adjudication proceedings.

** Hearings include pretrial motions, post trial motions, juvenile dependency review, contempt proceedings and extraditions.

*** Figures as reported by CPCMS since August 2005.

OFFICE OF THE CLERK OF COURTS



Clerk of Courts, William McGinley, seated, with staff members (L to R), First Deputy Theresa McGowan, Clerical Specialist Fran Heaney and Second Deputy Julie Harris.

Clerk of Courts: William C. McGinley
First Deputy: Theresa McGowan
Second Deputy: Julie Harris
Clerical Specialist: Fran Heaney
Phone: (570) 325-3637
Fax: (570) 325-5705

The Clerk of Courts Office is responsible for filing and docketing all misdemeanor and felony cases and proceedings in the Court of Common Pleas. This office also processes bail money and records all sentence/dispositional information.

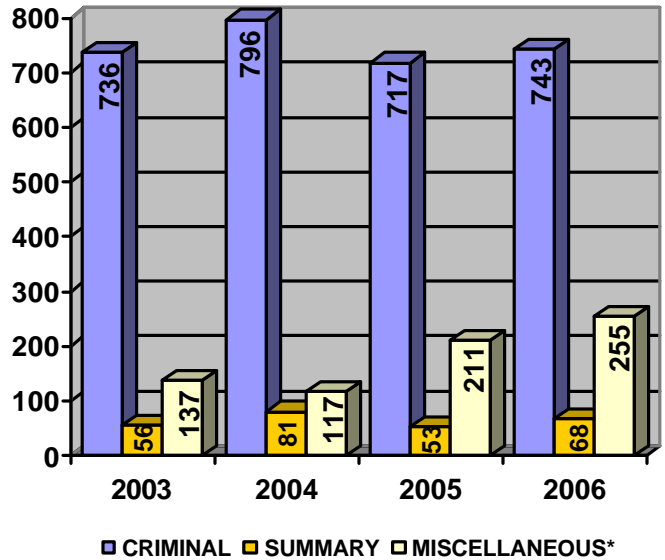
In 2006, the Clerk’s office collected \$101,830 in cash bail as well as \$10,439 in bail fees/forfeitures, which were turned over to the County General Fund.

**STATEWIDE COMMON PLEAS
 CRIMINAL COURT CASE
 MANAGEMENT SYSTEM (CPCMS)
 BECOMES A REALITY**

The statewide Common Pleas Criminal Court Case Management System

(CPCMS) is an automated, fully integrated statewide network of scheduling, docket entries, forms and financial accounting functions at the trial court level. Carbon County went live with CPCMS on August 22, 2005, and it allows for case information to move more expeditiously and consistently through the criminal courts.

**CRIMINAL, SUMMARY, AND
 MISCELLANEOUS* FILINGS
 2003 - 2006****



*Miscellaneous includes Parental Cost cases in Juvenile matters.
 **Figures as reported by CPCMS since August 2005.

FILINGS INCREASE 14.75%

A record number of filings occurred in 2004 with criminal filings totaling 796 and summary appeals peaking at 81. During this reporting period, criminal cases increased 1.0% from 736 to 743, summary appeals increased from 56 to 68 or 21.4%, and miscellaneous dockets increased 86.1% from 137 to 255 filings with an overall filing increase of 14.75%.

**BUREAU OF COLLECTIONS
DIVISION OF THE CLERK OF
COURTS**



Bureau of Collections Director Madeline T. Ligenza (standing in the center) with office staff, Collection Clerk II Kathleen Kenderish (L) and Part-Time Collection Clerk Donna Graver (R).

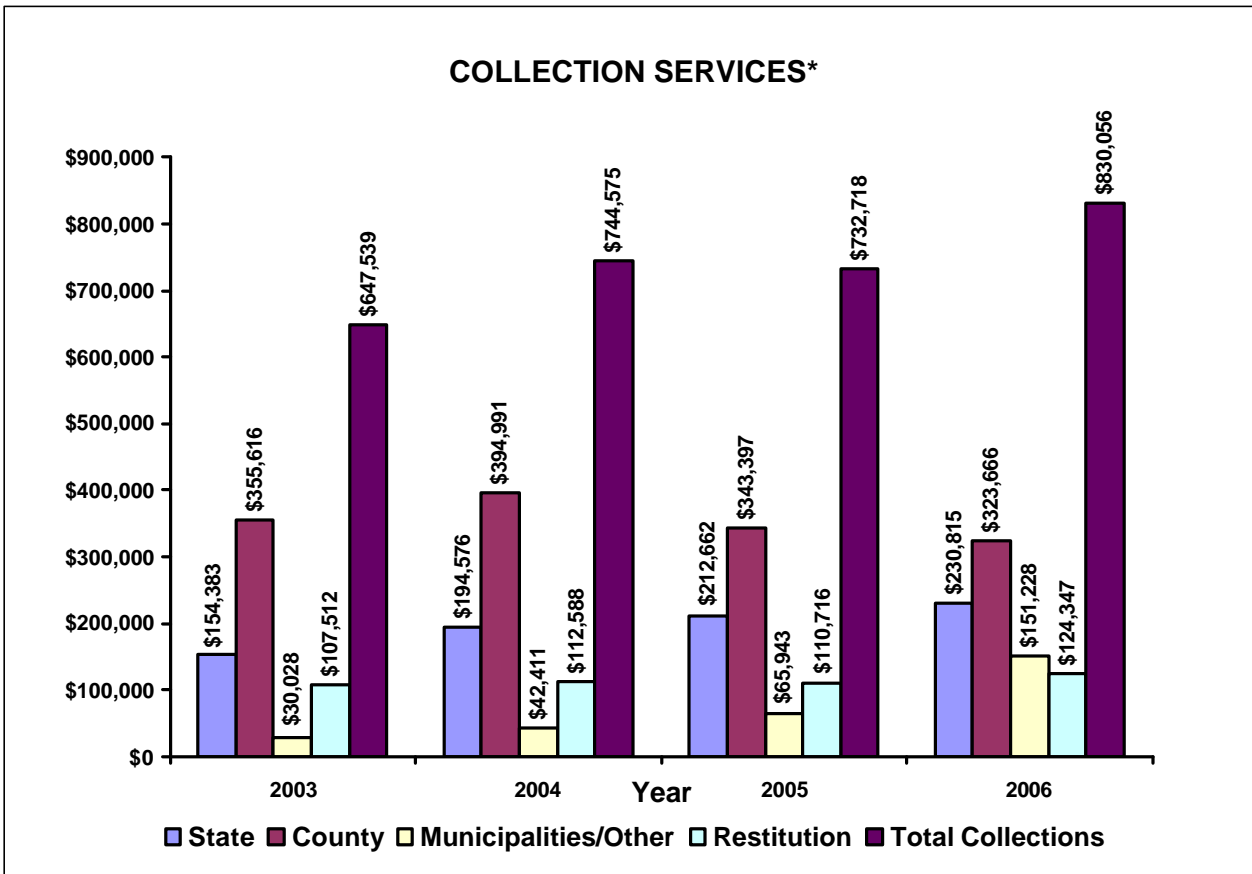
Director: Madeline T. Ligenza
Collection Clerk II: Kathleen Kenderish
Part-Time Collection Clerk: Donna Graver
Phone: (570) 325-3500
Fax: (570) 325-4593

In January 2005, pending the implementation of a statewide criminal case management system, the functions and personnel of this office were transferred from the Court of Common Pleas to the Clerk of Courts Office.

This office is responsible for the collection of all Court ordered costs, fines, and restitution assessed upon adult defendants and juvenile delinquents.

In 2006, a total of \$323,666 was turned over to the County General Fund, \$124,347 was remitted to victims of crime, \$230,815 was remitted to the State and \$151,228 was remitted to Municipalities or other agencies.

*Figures as reported by CPCMS since August 2005.



2003 – 2006 CARBON COUNTY QUADRENNIAL JUDICIAL REPORT

OFFICE OF THE PROTHONOTARY



Prothonotary Joann Behrens, seated, with office staff, standing (L to R), Clerk/PFAD Coordinator Leh Ann Light, Second Deputy Debra Hoherchak and First Deputy Kelly Solt.

Prothonotary: Joann M. Behrens
First Deputy: Kelly Solt
Second Deputy: Debra Hoherchak
Clerk/PFAD Coordinator: Leh Ann Light
Part-Time Automation Clerks:
Alice Kane and Deborah Tout
Phone: (570) 325-2481
Fax: (570) 325-8047

JOANN BEHRENS
TAKES OFFICE IN 2004

In November of 2003, Joann Behrens was elected as Prothonotary of Carbon County. Joann began her career with Carbon County in 1979 as a Clerk, advancing to Second Deputy in 1988. In 1993, she was appointed First Deputy and was later named Acting Prothonotary until an election was held to fill the vacancy in 1994. During her tenure, Joann has contributed to many enhancements in her office, including computerization and scanning of Court records. Electronic imaged documents are available to the Court since 2000.

COUNTY REVENUE INCREASES 34%

Fees Collected	2003	2004	2005	2006	% Change '03-'06
Commonwealth	\$18,801	\$20,263	\$22,438	\$24,196	29%
County	\$273,851	\$295,237	\$315,717	\$366,694	34%
Total Revenue	\$292,652	\$315,500	\$338,155	\$390,890	34%
Total Expenses	\$193,041	\$191,617	\$181,128	\$204,980	6%
Cost to Taxpayers	\$0.00	\$0.00	\$0.00	\$0.00	0%

Family matters of Divorce, Custody, and Protection From Abuse account for the largest areas of case filings. In 2006, family filings totaled 734 cases or 47.26% of the total filings.

CIVIL CASE FILINGS

	2003	2004	2005	2006	% Change '03 - '06
Civil Action*	247	285	338	472	91 %
Equity**	16	19	16	0	-100 %
Eminent Domain	5	1	3	4	-20 %
Divorce	193	204	169	202	5 %
Custody	220	258	174	233	6 %
Mortgage Foreclosure	257	205	239	268	4 %
Mental Health	12	18	7	5	-58 %
Protection From Abuse	281	283	214	299	6 %
Quiet Title	9	32	50	55	511 %
Miscellaneous	14	15	28	15	7 %
TOTAL	1,254	1,320	1,238	1,553	24 %

**This includes the following case types: Assault, Class Action, Contract, Discrimination, Fraud, Defamation, Motor Vehicle, Malpractice, Partition, Personal Injury, Product Liability, Title to Real Property, Torts to Land, and Toxic Waste.*

***As of September 1, 2005, Equity Actions are filed as Civil Actions.*

2003 – 2006 CARBON COUNTY QUADRENNIAL JUDICIAL REPORT

**OFFICE OF THE
REGISTER OF WILLS
AND CLERK OF THE
ORPHANS' COURT**



Register of Wills/Clerk of the Orphans' Court, Judy F. Moon, seated, with staff (L to R), Second Deputy Deborah Gigliotti, First Deputy Sandra Waidell and Clerk Ruthie Cunningham.

Register of Wills/Clerk of the Orphans' Court: Judy F. Moon
First Deputy: Sandra Waidell
Second Deputy: Deborah Gigliotti
Clerk: Ruthie Cunningham
Phone: (570) 325-2261
Fax: (570) 325-5098

The principal duties of this office include probating wills; appointing fiduciaries to administer decedent's estates; filing and processing adoptions, incapacitations and terminations; issuing marriage licenses; and processing matters involving non-profit corporations. It also serves as a collection office for all Pennsylvania Inheritance Tax assessed against heirs of a deceased person's property. In 2006, \$3,652,219 was collected for inheritance tax representing a 46.7% increase from 2003.

During this reporting period, estates raised increased 14.6%, adoptions and incapacitations decreased 20% and 50% respectively, and terminations filed increased 20% with marriage license issuance increasing 11.6%.

DECEDENT'S ESTATES				
	2003	2004	2005	2006
Estates Raised	355	383	382	407
Disposed Estates	427	413	363	369
Family Settlement	114	138	140	136
Agreements and Releases Filed	120	241	162	122
AUDITS OF ACCOUNTS				
Accounts Filed	20	17	14	17
Accounts Approved	16	14	20	14
ADOPTIONS				
Petitions Filed	15	14	23	12
Petitions Disposed	14	17	20	14
VOLUNTARY AND INVOLUNTARY TERMINATION OF PARENTAL RIGHTS				
Petitions Filed	10	16	11	12
Petitions Disposed	7	12	15	12
INCAPACITY PROCEEDINGS				
Petitions Filed	8	7	6	4
Petitions Disposed	9	7	6	5
MARRIAGE LICENSES ISSUED				
Licenses Issued	353	384	406	394

REGISTER OF WILLS & CLERK OF THE ORPHANS' COURT COLLECTIONS				
	2003	2004	2005	2006
PA Inheritance Tax	\$2,488,896	\$2,073,179	\$2,717,755	\$3,652,219
Commission	\$31,913	\$27,768	\$28,805	\$35,743
County Fees Collected	\$114,708	\$115,060	\$109,143	\$119,784
Total Collected	\$2,635,517	\$2,216,008	\$2,855,703	\$3,807,748
Total County Revenue	\$146,621	\$142,829	\$137,648	\$155,529
Total Expenses	\$136,399	\$140,517	\$135,587	\$147,337
Operational Cost to Taxpayers	\$0	\$0	\$0	\$0

2003 – 2006 CARBON COUNTY QUADRENNIAL JUDICIAL REPORT

OFFICE OF THE SHERIFF



Sheriff Dwight Nothstein (second row center) standing with staff. First row (L to R), Sergeant David Midas and Deputy Evelyn Horos. Second row (L to R), Lieutenant Karen Flexer, Sheriff Dwight Nothstein and Deputy Kristy Breiner. Third row (L to R), Real Estate Clerk Wayne Fritzing, Deputy Mark Betz, and Real Estate Clerk Christopher Kegel. Missing from photo are Chief Deputy Sheriff Joseph Hager, Deputy Brett Hannon, Deputy Robert Blisard, and Deputy Michael Melber.

Sheriff: Dwight L. Nothstein
Chief Deputy Sheriff: Joseph Hager
Lieutenant: Karen Flexer
Sergeant: David Midas
Deputy Sheriff: Mark Betz, Evelyn Horos, Kristy Breiner, Brett Hannon, Robert Blisard and Michael Melber
Special Deputy: Mark Nalesnik and Michael Zavagansky
Security Officer: Edward Balliet, Tony Tammaro, Glen McFarland, Dennis Balliet
Real Estate Clerk: Wayne Fritzing and Chris Kegel
Phone: (570) 325-2821
Fax: (570) 325-7860

The Sheriff is responsible for the overall security of the Courthouse. The use of a magnetometer, x-ray machine and controlled door access aid this department in keeping both the public and the employees safe. Sheriff Nothstein is a member of the Court's Security Committee responsible for oversight during an emergency and/or evacuation.

The Sheriff's Department provides daily security coverage in Courtrooms for all hearings, arguments and trials.

<u>CIVIL PROCESS</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
In County	3,052	2,576	3,620	2,642
Out of County	278	235	156	132
TOTAL	3,330	2,811	3,776	2,774

<u>MONEY COLLECTED</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
General Fund	\$101,893	\$94,993	\$113,103	\$119,628
Personal Property	\$5,764	\$4,441	\$3,792	\$6,623
Real Estate	\$87,558	\$142,452	\$117,027	\$107,192
TOTAL	\$195,215	\$241,886	\$233,922	\$233,443

<u>SSEA</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
General Fund	\$26,040	\$22,790	\$29,520	\$21,030
Personal Property	\$1,220	\$1,050	\$1,020	\$1,360
Real Estate	\$5,310	\$7,450	\$6,870	\$5,930
TOTAL	\$32,570	\$31,290	\$37,410	\$28,320

<u>COURT DUTIES</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Days in Court	169	169	156	180
Prisoners Presented	230	258	187	313

<u>EXECUTIONS</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Real Estate	203	275	245	230
Personal Property	69	67	48	65
Possession	26	29	20	25
TOTAL	298	371	313	320

<u>BENCH WARRANTS</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Received	295	328	334	423
Served	222	262	269	321
Pending - End of Year	178	156	166	167

CARBON COUNTY CORRECTIONAL FACILITY



Warden: James Youngkin
Deputy Warden: Timothy Fritz
Work Release/Treatment Director:
Frank A. Shubeck
Administrative Secretary: Mary Fairchild
Phone: (570) 325-2211
Fax: (570) 325-5212

Deputy Warden in 1998. As Warden, Youngkin is responsible for managing an increasing prison population in our developing area. Since moving to this facility in 1995, the inmate population has risen from 65 to an average of 132 per day or 100%.



*James Youngkin, Warden
Carbon County Correctional Facility*

COUNTY PRISON OPERATIONS

	2003	2004	2005	2006	% Change '03 – '06
Total Admissions	730	813	786	821	12.5%
Avg. Daily Count	122	131	122	132	8.2%

WILLIAM JURACKA
RETIREES AS WARDEN

On February 9, 2007, William Juracka retired as Warden of the Carbon County Correctional Facility. Bill served the County from 1980, first as Work Release Director, then as Acting Warden, and became Warden in 1992. Under his leadership, the prison moved from West Broadway, Jim Thorpe to Nesquehoning. He has the distinct recognition of having two consecutive inspections by the PA Department of Corrections for 100% compliance with DOC regulations.

NEW WARDEN APPOINTED

In March of 2007, James Edward Youngkin was appointed to the position of Warden for the Carbon County Correctional Facility. A life long native to the area, Youngkin has served the County for over twenty years in Carbon County's prison system. Youngkin began his career as a Correctional Officer in 1986 and eventually advanced through the ranks becoming Sergeant in 1989, Lieutenant in 1994, and

2003 – 2006 CARBON COUNTY QUADRENNIAL JUDICIAL REPORT

During this reporting period, Carbon County was under the administration of County Commissioners William J. O’Gurek, Chairman, Charles W. Getz, Vice Chairman, and Wayne E. Nothstein, Commissioner. The three County Commissioners constitute the chief governing body of the County. Statutory authority of the Commissioners is primarily of an administrative nature with legislative and policy-making powers.

The County Commissioners are vested with selective policy-making authority to provide certain local services and facilities on a County-wide basis. Administrative powers and duties of the County Commissioners encompass registration and election, assessment of persons and property, human services, veteran’s officers, appointment of county personnel and fiscal management.

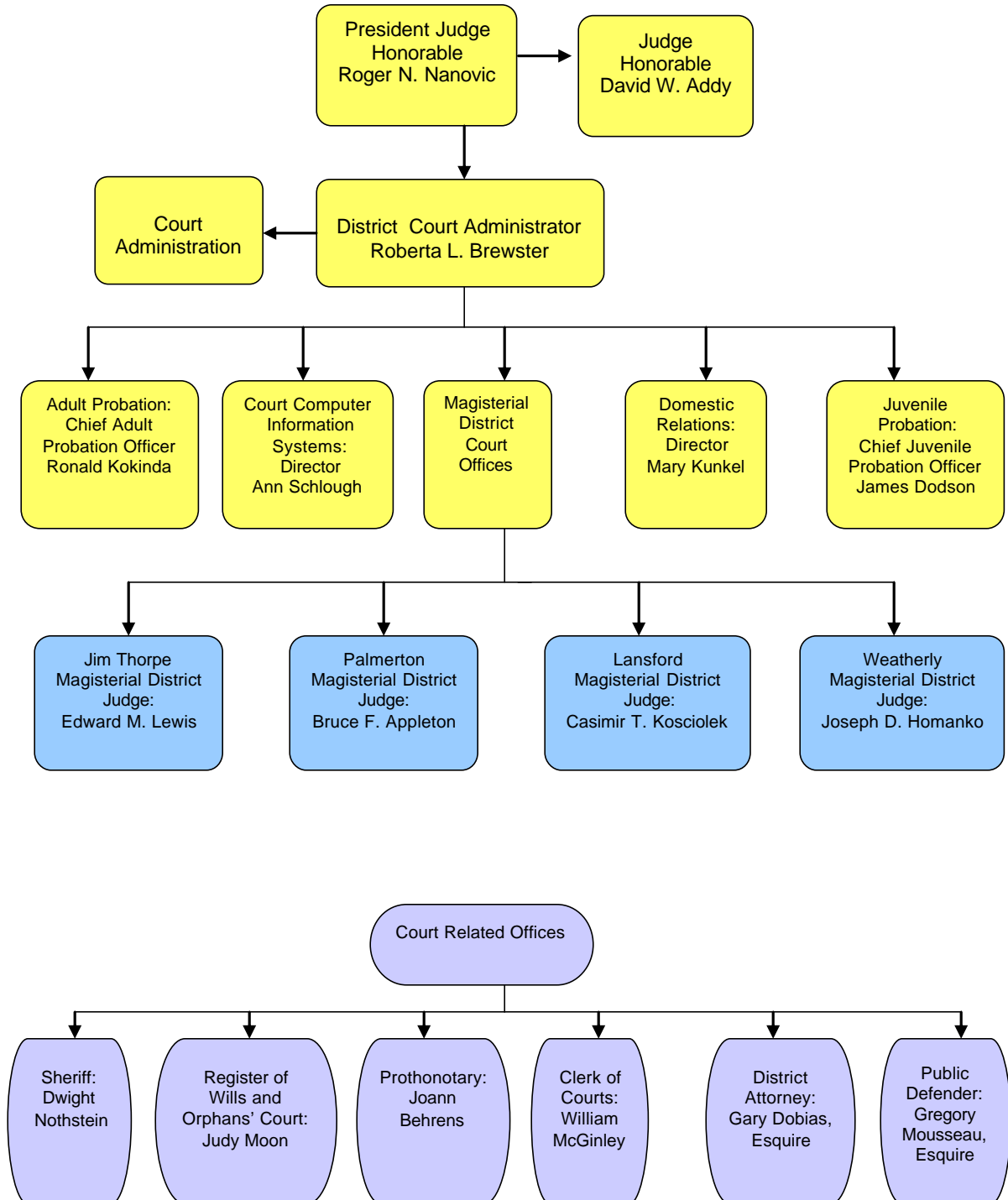
One of the duties of the County Commissioners, according to the Judicial Code, is to provide accommodations, supporting facilities and services for the Courts. All funding for the Courts - except the salaries of the Judges, the District Court Administrator and the two Assistant Court Administrators - is provided by the County.

Regular Carbon County Board of Commissioners meetings are held every Thursday at 10:30 a.m. in the Commissioners’ Conference Room, Third Floor of the Court House Annex, Jim Thorpe. Monthly meetings of the Carbon County Retirement Board, Salary Board and Election Board are held immediately following the Board of Commissioners meeting. The County hosts a website located at www.carboncounty.com.



*Carbon County Board of Commissioners
Chairman William J. O’Gurek, center, with Vice Chairman (L) Charles W. Getz, and (R) Commissioner Wayne E. Nothstein.*

Carbon County Court of Common Pleas Organizational Chart



Front Cover

Inside Back Cover

Lady Justice stands for the moral force that underlies the legal system. She is most often depicted with a set of weighing scales measuring the strengths of a case’s support and opposition. Her double-edged sword symbolizes the power of reason and justice for or against any party. **Lady Justice** indicates that justice is (or should be) objective without fear or favor, regardless of the identity, power, or weakness with equality for all. At the Carbon County Courthouse, **Lady Justice** majestically oversees justice in Courtroom No. 1.

Carbon County Court
Organizational Chart



Designed by Kristin Leffler

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