

July 6, 2009

David A. Blaner, Executive Director
Allegheny County Bar Association
Koppers Building
436 Seventh Avenue, Suite 400
Pittsburgh, PA 15219

Re: 2008-2009 Juvenile Law Committee Report

Dear Mr. Blaner:

As the 2008-2009 ACBA year comes to a close, I am writing to inform you of the activities and accomplishments of the Juvenile Law Committee.

As in years past, our monthly meetings were scheduled on the third Tuesday of the month, from September to November, and January through May. A monthly agenda was provided to all members via email days before the meetings, and members were asked to submit any other issues as "new business" during the meetings. Minutes, likewise, were emailed when completed. The meetings generally started promptly at noon in the fifth floor judicial conference room of Juvenile Court, which is most convenient for the participants. The March meeting was replaced by an awards reception held at the Rivers Club. The May meeting was cancelled due to Primary Election Day, and the members voted not to reschedule it. The meetings were generally well attended by attorneys, judges, hearing officers and court staff involved in the dependency, adoption, delinquency and probation arenas.

I mailed a letter in August 2008 to address the lack of commitment that some members were willing to express to a subcommittee and to take the time to attend meetings and to contribute to committee projects. We asked everyone listed as a member to choose a subcommittee in order to remain active. Consequently, our numbers were reduced. However, we have approximately 35, most of who attend every meeting and contribute to the committee.

Once again, Dorie Schnippert acted as our ACBA liaison. She attended meetings, provided minutes and information regarding policy and practice, and, with the help of Marlene Ellis, helped subcommittee Chair Jeffrey Pollock to plan and to host the Juvenile Justice Awards ceremony and reception. We are grateful for everything that Dorie, Marlene and the ACBA staff has done for us in the planning and carrying out of our monthly meetings, CLE's and other events.

2008-2009 has been another important and transitional year for the Allegheny County Juvenile Court. Judge David Wecht was appointed the Administrative Judge of the Family Division of the Allegheny County Court of Common Pleas. He graciously attended our first meeting after his appointment and promised an open and transparent administration. Judge Wecht participated

in our forum at Bench Bar, and his staff has been extremely cooperative with the scheduling of our meetings.

Because of the Juvenile Court Rules of Procedure, court orders have undergone statewide changes in the form of CPCMS dependency forms. They are now in use by the court. Members of the committee, including myself, had participated in the Court Orders Task Force, initiated by Judge Clark, the former Administrative Judge. The E-filing system has been in operation for a year now, with some changes to accommodate the Fast Track Rules adopted by the PA Supreme Court. Video conferencing in the courtrooms, which allows witnesses (particularly doctors and hospital personnel) and primarily delinquent children who are placed in out of county facilities to participate more fully and conveniently, has become a reality, but is being underutilized. That issue will be addressed in the coming year.

In the delinquency arena, there is now a special emphasis on domestic violence among teenagers, with a program developed with the Women's Center and Shelter. If you will remember, the Juvenile Law Committee invited Ms Julie Yarzebinski to the April 2008 meeting to present a proposal of the YLD Bar Leadership Class for the Juvenile Domestic Violence Project. The court is attempting to initiate a program by coordinating a meeting this summer. These changes and questions surrounding new procedures and emerging problems have been brought to the attention of our members and the judges at our monthly meetings, and the committee continues to be a valuable resource for member attorneys, hearing officers and judges.

The Juvenile Law Committee sponsored a Judges' Sound-Off at the 2009 Bench Bar Conference. The panel was comprised of Juvenile Court judges, and the auditorium included attorneys, hearing officers, and court staff. Following the "State of Affairs of Allegheny County Children's Court" presented by Administrative Judge David Wecht, the panel discussed procedures in the individual courtrooms. Of particular interest were the Appellate Rules changes and the effect on lower court practices, including timelines for judges' opinions and transcript availability. The forum also addressed the amendment to § 6636.1 of the Juvenile Act, and the Resource Family Reporting Form that has been created to allow foster parents to report to the court. The diverse adversaries had an opportunity to share opinions as to who would bear the burden of requiring "availability", and the judges offered their interpretation of the law and preferred practice. Many came away with a better understanding of what was expected and, most importantly, what needed to be further clarified, either through upcoming CLE programs, administrative orders, or discussion. The feedback so far has been very positive.

The ACBA Juvenile Law Committee sponsored a CLE concerning diversity in the juvenile delinquency and dependency systems on September 24, 2008. The committee will be holding another CLE on September 18, 2009 that will cover educational issues that dependent and delinquent children face. The Education Law Center and Disability Rights Network has confirmed its involvement in the presentation. We are attempting to incorporate an ethics credit into the mix. As always, CLE programs are coordinated by Ms Jen Staley, Esquire, Chair of the CLE subcommittee. The entire membership is grateful for her continued commitment and effort.

On March 17, 2009, the Juvenile Law Committee held the Juvenile Law Award ceremony and reception at the Rivers Club, recognizing "a person or entity exemplifying extraordinary

dedication, effort, commitment, leadership, time, and professionalism towards the fair, efficient, collegial and safe operation of Juvenile and Children's Court." Ms Judith Patterson, Esquire, was honored for over 25 years of service as a child advocate at KidsVoice, formerly known as Legal Aid for Children. Ms Patterson was surrounded by family, friends, and peers who have known her for many years and have benefited from her invaluable knowledge and experience. She was presented with many accolades and presented with a commemorative plaque.

While several opinions were circulated among the Opinions Subcommittee, only two full opinions were published in the Pittsburgh Legal Journal. The Opinions Subcommittee, chaired by Mary Kay McDonald, Esquire. Currently, an opinion by Judge DeAngelis concerning the constitutionality of Act 53 is being circulated. Ms McDonald continues to encourage judges to submit opinions, especially those dealing with new case law and procedural rules.

As in years past, we have continued to encourage our membership to attend the Family Law Section's Children's Issues meetings by providing topic information and time and place in both the agendas and minutes from each of our monthly meetings. We have also provided the Family Law Section a list of our membership with email addresses to further strengthen the affiliation. Jeff Pollock and I have agreed to serve as information liaisons to the Family Law Section. We have attended meetings and have apprised the members of any relevant issues.

The Community Service Subcommittee had a difficult time initiating efforts this year. While the constitutionality of Act 53 was in question, the program in Allegheny County was on hold. It is our intention to reconnect with this invaluable program, headed by coordinator Sheri Magill.

Our first meeting for the fall of 2009 will take place on Tuesday, September 15, 2009 at noon in the fifth floor conference room in Juvenile Court. Prior to the meeting, I will be contacting the membership to apprise them of the upcoming issues and programs that the committee will be sponsoring, and will be asking them for ideas and questions. Once again, we are anticipating a demanding and productive year.

Feel free to contact me at the office if you have any questions. I will continue to serve as Chair of the Juvenile Law Committee during the 2009-2010 year, and am honored to do so. However, this will be my last year. The Juvenile Law Committee and I are very grateful to you, Immediate Past-President Jay Blechman, the Board of Governors and the staff of the ACBA for your continued support and guidance, and hope that the upcoming year will prove as rewarding as the last.

Sincerely,

Kathryn L. Miehle
Chair, ACBA Juvenile Law Committee