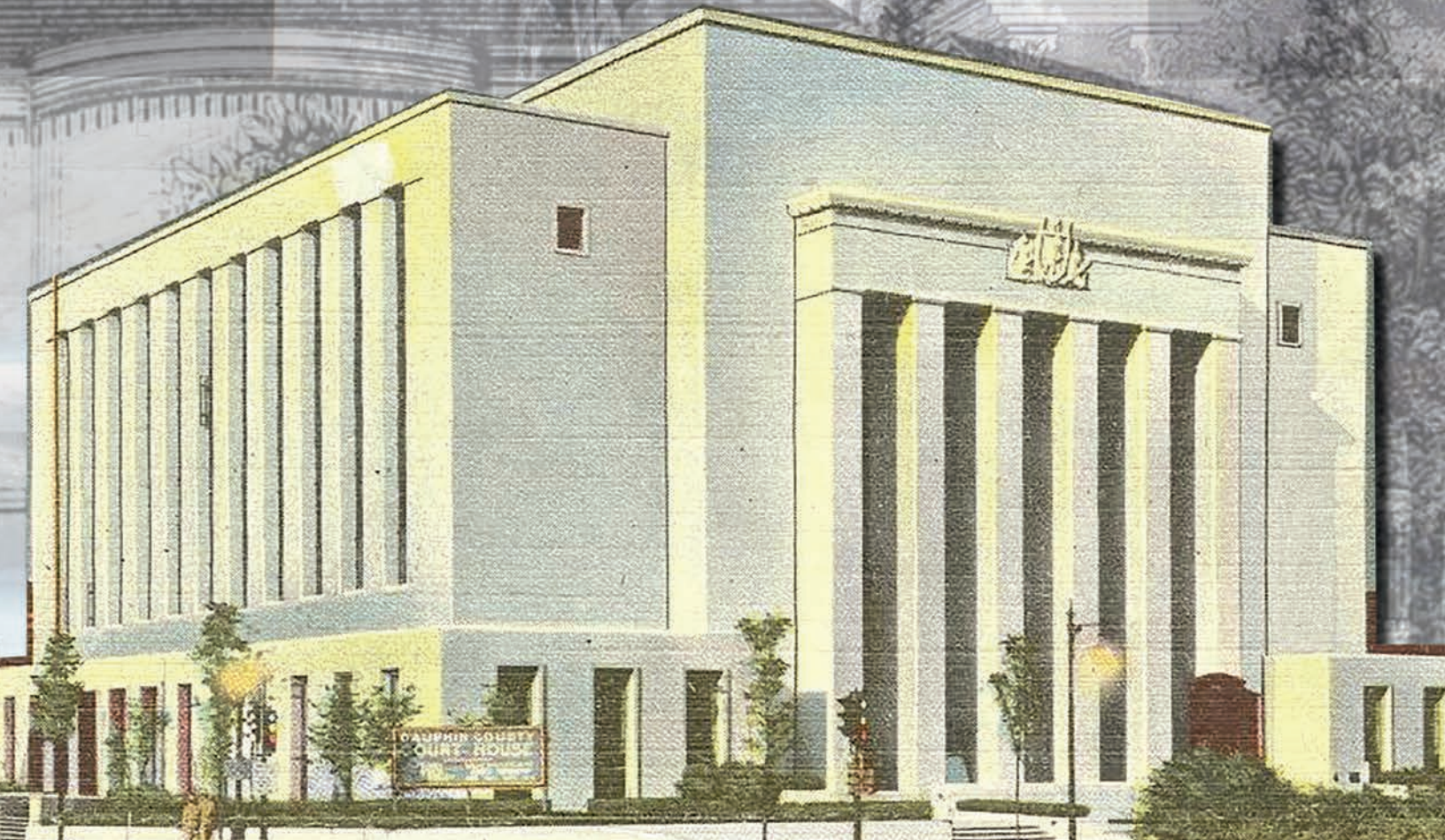


# *Dauphin County Court of Common Pleas*

*1785 - 2015*





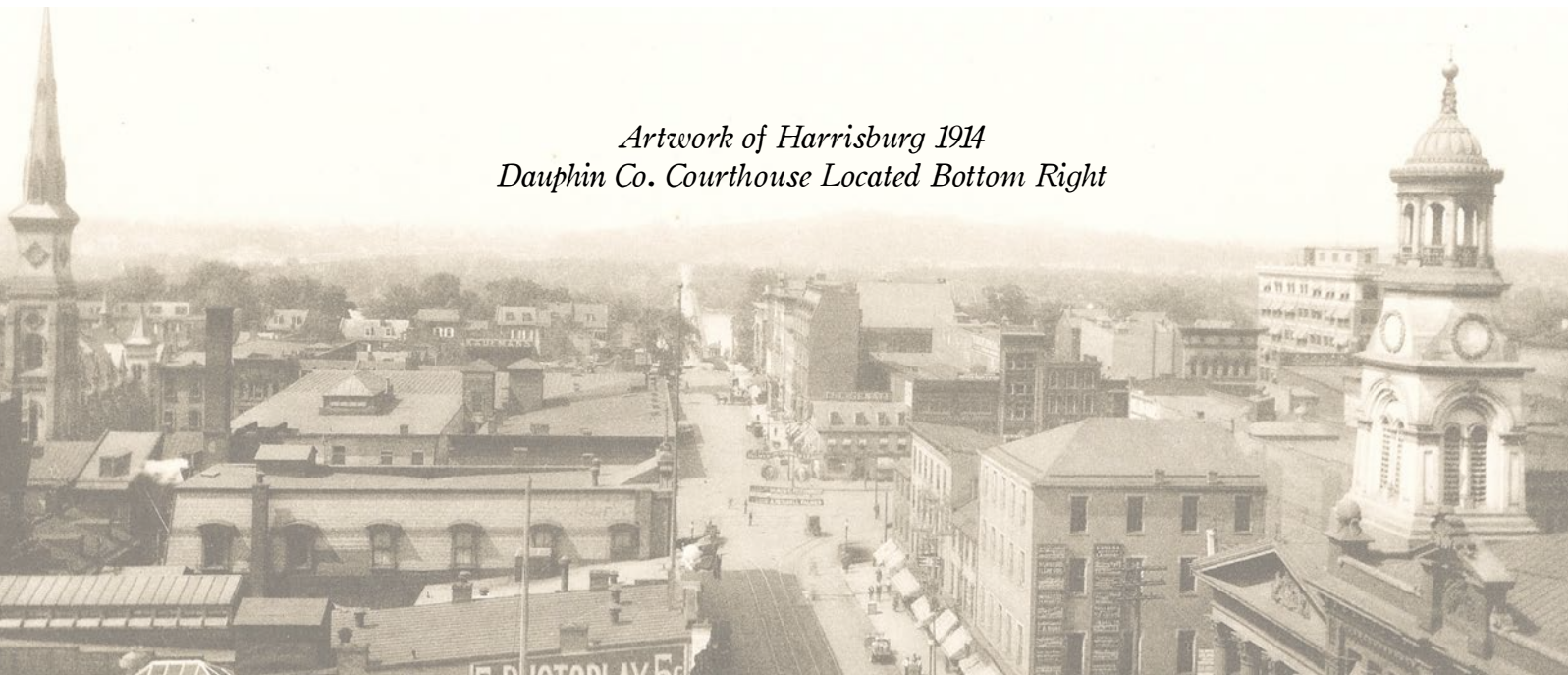
*Dauphin County Court Mission Statement*  
*To Assure Equal Access, Fair Treatment and*  
*the Peaceful and Efficient Resolution of*  
*Disputes for All Citizens Asserting Their Rights*  
*Under the Law.*



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*Artwork of Harrisburg 1914  
Dauphin Co. Courthouse Located Bottom Right*



Dauphin County Court House  
101 Market Street  
Harrisburg, PA 17101

**Richard A. Lewis**  
*President Judge*

COMMONWEALTH OF PENNSYLVANIA  
Twelfth Judicial District  
Court of Common Pleas - Dauphin County

Telephone: (717) 780-6585  
Fax: (717) 780-6452

E-mail: rlewis@dauphinc.org

September 15, 2015

GREETINGS:

On behalf of the Dauphin County Court of Common Pleas, I am pleased to welcome you to the 230<sup>th</sup> Anniversary Celebration of our court.

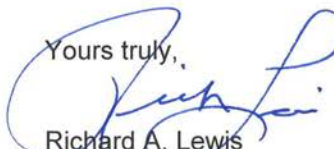
The Dauphin County Court traces its genesis to 1785, the year the County of Dauphin was established as part of the newly formed Commonwealth of Pennsylvania. Of note is that our court was functioning several years prior to the formal birth of our federal government marked by the adoption and ratification of the United States Constitution.

Today, the Dauphin County Court of Common Pleas is comprised of 10 elected judges, complemented by court administrators, law clerks, judicial assistants, tipstaves and court criers, as well as bustling court departments that include Probation Services, Domestic Relations Office, Fines and Costs, Law Library and the Work Release Center. Our court handles thousands of Criminal, Civil, Family and Orphan's Court cases each year. In addition, a busy Magisterial District Judge system comprised of 15 offices throughout Dauphin County processes nearly 100,000 dockets yearly.

While the scope and breadth of our court's work has dramatically expanded over the centuries, and no doubt will continue to do so, its core mission has never waived – **TO ASSURE EQUAL ACCESS, FAIR TREATMENT AND THE PEACEFUL AND EFFICIENT RESOLUTION OF DISPUTES FOR ALL CITIZENS ASSERTING THEIR RIGHTS UNDER THE LAW.** I believe that the Dauphin County Court of Common Pleas will advance into the future with the same fairness and impartiality that has distinguished this court since its inception.

Finally, on behalf of our judges and the entire court family, we extend our deepest appreciation to the good people of Dauphin County for the support, confidence and encouragement that they have always given us.

Thank you.

Yours truly,  
  
Richard A. Lewis

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE SANDRA DAY O'CONNOR (RET.)

September 15, 2015

The Honorable Jeannine Turgeon  
Court of Common Pleas  
Dauphin County Courthouse  
101 Market Street  
Harrisburg, PA 17101

Dear Judge Turgeon, *Jeannine!*

I am pleased to congratulate the Dauphin County Court of Common Pleas as you mark your 230<sup>th</sup> Anniversary. The Dauphin County Court has made significant contributions to the growth of Pennsylvania jurisprudence and has demonstrated over and over again its commitment to the protection of the rights of all of the citizens it serves.

I applaud this distinguished record of service and the contributions of all those who have served on its bench.

Best wishes for a memorable anniversary celebration.

Sincerely,

*Sandra Day O'Connor*  
Sandra Day O'Connor



COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF THE GOVERNOR  
HARRISBURG

THE GOVERNOR

**GREETINGS:**

I am delighted to commemorate the 230<sup>th</sup> anniversary of the Dauphin County Court of Common Pleas.

The Dauphin County Court has made significant contributions to the growth of Pennsylvania jurisprudence and has continually demonstrated its commitment to the protection of the rights of all of the citizens it serves. I applaud this distinguished record of service and the contributions of all those who have served on its bench. I am certain that the court will continue to ensure that the legal rights of all are protected and preserved.

As Governor, and on behalf of all the citizens of the Commonwealth of Pennsylvania, I am honored to congratulate the Dauphin County Court of Common Pleas on its 230<sup>th</sup> anniversary. Please accept my best wishes for a memorable celebration.



*Tom Wolf*  
TOM WOLF  
Governor  
September 15, 2015



THE SUPREME COURT OF PENNSYLVANIA

FULTON BUILDING  
18TH FLOOR  
200 NORTH THIRD STREET  
HARRISBURG, PA 17101

THOMAS G. SAYLOR  
CHIEF JUSTICE

(717) 772-1599

July 22, 2015

The Honorable Richard A. Lewis  
President Judge  
Dauphin County Court of Common Pleas  
101 Market Street  
Harrisburg, PA 17101

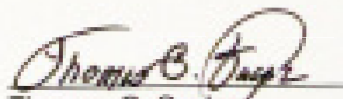
Dear President Judge Lewis:

I am pleased to congratulate the Dauphin County Court of Common Pleas as you mark your 230<sup>th</sup> Anniversary. The Dauphin County Court has made significant contributions to the jurisprudence of this Commonwealth and has demonstrated a deep commitment to the citizens which it serves.

I and my colleagues on the Supreme Court applaud this distinguished historical record and the contributions of all those who have served on its bench.

You have my best wish for a memorable anniversary celebration.

Sincerely,

  
Thomas G. Saylor



**Whereas**, the Supreme Court of Pennsylvania is pleased to recognize the 230<sup>th</sup> anniversary of the Court of Common Pleas of Dauphin County, Pennsylvania.

**Whereas**, the first session of the Dauphin County Court was convened on May 17, 1785, in a log house that stood approximately at the intersection of Front and Washington Streets, several blocks south of the location of the present courthouse at Front and Market Streets.

**Whereas**, well before the establishment of Dauphin County in 1785, the region along the Susquehanna River served essentially as both the western frontier of the United States and a gateway to the western expansion of the country. Even in those early times our forebears looked to the courts to maintain order and represent the rule of law. At first, settlers resorted to the courts in Philadelphia and Chester County, and then later to Lancaster County. In 1785, Lancaster County was divided to establish Dauphin County and make Harrisburg – originally called Harris’s Ferry – its seat of government.

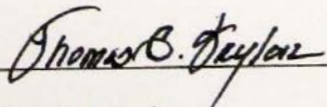
**Whereas**, as early as 1811 the Dauphin County Court served as the primary tribunal of first resort for civil cases in which the Commonwealth or its officers were defendants. The Dauphin County Court’s role in this capacity expanded and continued until the creation of the Commonwealth Court under the 1970 amendments to the Pennsylvania Constitution. As a consequence, through the years the Court ruled on many significant cases involving important public questions under the Pennsylvania Constitution and the laws of the Commonwealth, including important tax cases, serious questions arising under the state constitution as well as the interpretation of numerous state laws and regulations.

**Whereas**, the establishment of the Dauphin County Court underscored the commitment of the early settlers to maintain order through both the civil and criminal courts, and their underlying recognition of the importance of the rule of law in our democracy. From its simple beginnings, the Dauphin County Court of Common Pleas would grow to assume an important role in Pennsylvania history and become the busy and important Court we know today.

**Whereas**, throughout its existence, the Dauphin County Court of Common Pleas has served an important role in the development of the law of Pennsylvania and the lives of the citizens of Dauphin County from the earliest days of the Commonwealth until today. The Court has adapted to deal with challenges and issues of which the first settlers could not even conceive and remains a pillar of the community and a bulwark of democratic government.

**Now therefore**, the Supreme Court of Pennsylvania congratulates the Dauphin County Court of Common Pleas on its 230<sup>th</sup> anniversary and thanks it for standing firm as the guarantor of the rule of law and protector of the rights granted its citizens.



  
Thomas G. Saylor  
Chief Justice  
Supreme Court of Pennsylvania



THE SUPERIOR COURT OF PENNSYLVANIA  
JUDGE'S CHAMBERS  
200 FOUR FALLS CORPORATE CENTER  
SUITE 302  
WEST CONSHOHOCKEN, PA 19428

SUSAN PEIKES GANTMAN  
PRESIDENT JUDGE

(610) 832-1651  
FAX (610) 832-1659

August 28, 2015

The Honorable Richard A. Lewis, President Judge  
Dauphin County Courthouse  
101 Market Street  
Harrisburg, PA 17101

Dear President Judge Lewis,

I congratulate you on the 230<sup>th</sup> Anniversary of the Dauphin County Court of Common Pleas. The first Court session held in 1785 exemplifies democracy at its best. The Dauphin County is the heart of the Commonwealth of Pennsylvania. It has a rich history of justice. The seat of State Capitol and government place Dauphin County in a unique position to maintain order in civil and criminal courts.

This Court serves a critical role in the development of the law of Pennsylvania and is a model for the other counties across this great state. My colleagues on the Superior Court of Pennsylvania join me in congratulating you on this historic milestone. May you go from strength to strength.

Respectfully,

A handwritten signature in blue ink that reads "Susan Peikes Gantman". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Susan Peikes Gantman  
President Judge, Superior Court of Pennsylvania

PJG/II



COMMONWEALTH COURT OF PENNSYLVANIA

DAN PELLEGRINI  
PRESIDENT JUDGE

601 COMMONWEALTH AVENUE  
P.O. BOX 69185  
HARRISBURG, PA 17106-9185  
(717) 255-1644

TO THE JUDGES, MEMBERS OF THE BAR, AND CITIZENS OF DAUPHIN COUNTY:

On behalf of the Judges of the Commonwealth Court of Pennsylvania, it gives me great pleasure to extend our sincere congratulations on the 230<sup>th</sup> anniversary of the Dauphin County Court of Common Pleas. Because the origins of the Commonwealth Court's jurisdiction and caseload stem, in part, from the former "Commonwealth Docket" cases heard by the Dauphin County Court prior to the establishment of the Commonwealth Court, we are proud to share in the illustrious history of the Dauphin County Court and to take part in its anniversary celebration.

The Commonwealth Court, one of two statewide intermediate appellate courts in Pennsylvania, was created in 1970 as a result of the Constitutional Convention of 1967-68. The Court is unique among state intermediate appellate courts in that it primarily deals with "public" or administrative law matters, hearing appeals from county courts of common pleas and state administrative agencies. The Commonwealth Court hears appeals in matters involving zoning, taxation, civil service, eminent domain, and negligence cases involving state and local government, among others. In addition, the Court hears appeals from state administrative agencies in cases involving workers' and unemployment compensation, environmental issues, welfare claims, public utility rate disputes, taxation, and other administrative matters. The Court acts as a trial court in certain types of cases where the Commonwealth is a party, including actions in equity, mandamus, and declaratory judgment. The Court also hears cases arising under the Election Code in both its original and appellate jurisdiction. From 1870 until 1970 the Dauphin County Court of Common Pleas was vested with statewide jurisdiction to hear many of these case types within its "Commonwealth Docket" jurisdiction, and it did so ably.

Our courts also share a common bond in that both benefitted from the renowned service of The Honorable James S. Bowman, first President Judge of the Commonwealth Court from 1970 until his death in 1980, and formerly a Judge of the Dauphin County Court of Common Pleas from 1964 to 1970. Judge Bowman was a distinguished jurist and administrator whose expertise in judicial procedure was invaluable in establishing the original operating procedures of the Commonwealth Court, many of which have stood the test of time and are still in place today. The Commonwealth Court *en banc* courtroom in the Pennsylvania Judicial Center, prominently located within the state Capitol complex, is appropriately dedicated to Judge Bowman and will stand as a lasting memorial to our courts' shared history.

My colleagues and I extend our warmest best wishes and thanks to the Judges and staff of the Dauphin County Court of Common Pleas and members of the Dauphin County Bar, both past and present, who since 1785 have carried on a fine tradition of outstanding public service and a steadfast commitment to the pursuit of justice.

Respectfully,

A handwritten signature in cursive script that reads "Dan Pellegrini".

DAN PELLEGRINI  
President Judge

Commonwealth of Pennsylvania



Office of Attorney General

**Dauphin County  
Court of Common Pleas**

**WHEREAS;** Lancaster County was divided in the year 1785 to establish Dauphin County and make Harrisburg the seat of government; and

**WHEREAS;** The Dauphin County Court was first convened on May 17, 1785 to maintain order and represent the rule of law; and

**WHEREAS;** The Dauphin County Court, located in the Commonwealth's capitol of Harrisburg, served until 1970 as the primary court for civil cases in which the Commonwealth was a defendant; and

**WHEREAS;** Throughout the past 230 years, the Dauphin County Court has ruled on many noteworthy cases involving fundamental questions regarding the Pennsylvania Constitution and laws of the Commonwealth; and

**WHEREAS;** Throughout our Commonwealth's history, the Dauphin County Court has served as a keystone in the development and application of laws for the citizens in Dauphin County and the Commonwealth of Pennsylvania; and

**NOW THEREFORE;** the Office of Attorney General proudly recognizes the Dauphin County Court of Common Pleas for the notable role it has played in the history of the Commonwealth of Pennsylvania throughout the past 230 years.

Given under my hand  
And the Seal of the  
Attorney General

A handwritten signature in blue ink, reading "Kathleen G. Kane".

Kathleen G. Kane  
Attorney General



OFFICE  
OF THE  
PRESIDENT

100 SOUTH STREET • P.O. BOX 186 • HARRISBURG, PA 17108-0186 • (717) 238-6715 or (800) 932-0311 • FAX (717) 238-1204

WILLIAM H. PUGH, V

Dear Colleagues:

On behalf of the 28,000 members of the Pennsylvania Bar Association, I am pleased to extend sincere congratulations as you commemorate the 230<sup>th</sup> anniversary of the establishment of the Dauphin County Court of Common Pleas.

From its days of administering justice on the frontier to its handling of the complex legal matters of the 21<sup>st</sup> century, the Dauphin County Court of Common Pleas has played a prominent and significant role in the jurisprudence of our Commonwealth. Of paramount importance has been the Court's deep commitment to ensuring fair and equal treatment under the law. Your dedication to outstanding pro bono programs, participation in public legal education programs and involvement in civic activities to promote greater knowledge of and appreciation for the rule of law is indeed commendable.

The Dauphin County Court of Common Pleas has been served faithfully by generations of learned judges and lawyers, many of whom we have been proud to claim as members of the Pennsylvania Bar Association. Your friends and colleagues in the PBA join with you in the spirit of celebration of this milestone anniversary and extend best wishes for a memorable ceremony.

Best regards,

William H. Pugh V



# DAUPHIN COUNTY

Office of County Commissioners

Dauphin County, Pennsylvania

## Proclamation

*We, the Dauphin County Board of Commissioners are honored to join with Court of Common Pleas' judges; employees, both past and present; and members of the community at large in commemorating the landmark anniversary of the Dauphin County Court of Common Pleas in 2015;*

*Whereas, 230 years ago, in May of 1785, Dauphin County Court held its first session in a log house, several blocks from the present county courthouse at Front and Market Streets in Harrisburg;*

*Whereas, Dauphin County Court served as the primary tribunal of first resort for civil cases in which the state or its officers were defendants until 1970, when Commonwealth Court was established;*

*Whereas, the creation of Dauphin County Court is an important milestone signifying the commitment of the early settlers to the rule of law in our democracy;*

*Whereas, for over two centuries, the Dauphin County Court of Common Pleas has upheld the rule of law, represented the most enduring values of our state and nation, and protected the rights of citizens;*

*Therefore, we join the 270,000 residents of Dauphin County in celebrating the 230<sup>th</sup> anniversary of the Dauphin County Court of Common Pleas and in encouraging citizens to learn more about the history of the capital county; and in grateful recognition thereof, we do hereby proudly proclaim September 15, 2015 to be "Dauphin County Court of Commons Pleas Celebrates 230 Years of Excellence Day" in Dauphin County.*

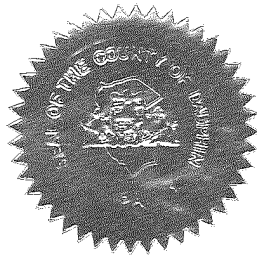
*In witness thereof, we have hereunto set our hand and caused the seal of the Commissioners of Dauphin County to be affixed this 15<sup>th</sup> day of September, 2015.*

Board of Commissioners

Jeff Haste, Chairman

Mike Pries, Vice Chairman

George P. Hartwick, III, Secretary



Chad Saylor, Chief Clerk



213 NORTH FRONT STREET, HARRISBURG, PA 17101 (717) 232-7536 FAX (717) 234-4582

August 18, 2015

TO THE CITIZENS OF DAUPHIN COUNTY:

On behalf of the Dauphin County Bar Association, we wish to express the best wishes of our membership upon the occasion of the 230<sup>th</sup> Anniversary of the Dauphin County Court. From the earliest days of the Commonwealth, when Dauphin County represented the western frontier of the emerging United States, our Court has stood firm as the guarantor of the rule of law and protector of the rights granted to settlers who sought to build a community, a Commonwealth, and a nation on the banks of the Susquehanna River and beyond.

Many changes have taken place in the Court over the past 230 years and all have been put into place to serve the citizens of Dauphin County in the best way possible. As an integral part of the Court, the Dauphin County Bar Association wishes to extend its appreciation and gratitude for the opportunity to be a part of this occasion.

As we look forward to the balance of the third century of this Court, our membership will continue to support the administration of justice in our county and strive to uphold the principles of fairness and impartiality we have come to associate with the Dauphin County Court.

Yours truly,

Pamela C. Polacek, Esq.  
President

Elizabeth G. Simcox, Esq.  
Executive Director



Office of the Mayor  
City of Harrisburg  
Martin Luther King, Jr. Government Center  
10 North Second St.  
Harrisburg, PA 17101

Eric Papenfuse  
Mayor

(717)255-3015

Congratulations to the Dauphin County Courthouse on its 230<sup>th</sup> Anniversary serving the people of our great county.

This is truly a momentous occasion as we commemorate more than two centuries of history that have unfolded in the Dauphin County Courthouse and the crucial role its justices and staff have played in shaping our society.

The majesty and beauty of the current courthouse building, built in 1942, is a source of pride for the residents of our Capital City. And the service of thousands of dedicated professionals through the decades is a profound testament to the highest ideals of American justice and democracy.

Our City and its residents salute you and join you in celebrating this historic occasion.

Yours truly,

Eric Papenfuse  
Mayor, City of Harrisburg





**Office of The Mayor  
Harrisburg, Pennsylvania**

# Proclamation

## Celebrating the 230<sup>th</sup> Anniversary of The Dauphin County Court of Common Pleas

**WHEREAS**, on today, September 15<sup>th</sup>, 2015, the City of Harrisburg recognizes and joins in the celebration of the 230<sup>th</sup> Anniversary of the Dauphin County Court of Common Pleas; and

**WHEREAS**, the first session of the Dauphin County Court was convened on May 17, 1785 in a log house that stood approximately at the intersection of Front and Washington Streets, several blocks south of the location of the present courthouse at Front and Market Streets.; and

**WHEREAS**, well before the establishment of Dauphin County, Pennsylvania in 1785, the region along the Susquehanna River served essentially as both the Western frontier of the United States and a gateway to the western expansion of the country. Even in those early times, our forebears looked to the courts to maintain order and represent the rule of law; and

**WHEREAS**, in 1785, Lancaster County was divided to establish Dauphin County and make Harrisburg (Harris's Ferry) its seat of government; and

**WHEREAS**, located at the seat of state government, as early as 1811 the Dauphin County Court served as the primary tribunal of first resort for civil cases in which the Commonwealth or its officers were defendants. The Dauphin County Court's role in this capacity expanded and continued until the creation of the Commonwealth Court under the 1970 amendments to the Pennsylvania Constitution; and

**WHEREAS**, the Dauphin County Court of Common Pleas has served an important role in the development of the law of Pennsylvania, the lives of the citizens of Dauphin County, and remains a pillar of the community.

**NOW, THEREFORE, BE IT PROCLAIMED**, that I, Eric Papenfuse, the Mayor of the City of Harrisburg, Pennsylvania, do hereby this day recognize and celebrate the 230<sup>th</sup> Anniversary of the

## Dauphin County Court of Common Pleas

**AND BE IT FURTHER PROCLAIMED** that I have hereto set my hand and seal this 15<sup>th</sup> day of September in the Year of our Lord, Two Thousand and Fifteen, expressing highest regards and congratulations to the Dauphin County Court of Common Pleas, and do hereby deliver unto his hands this Proclamation, with all due appreciation in the great City of Harrisburg, Capital of the Commonwealth of Pennsylvania.



Mayor Eric Papenfuse



**United States Senate**

WASHINGTON, D.C.

ROBERT P. CASEY, JR.  
PENNSYLVANIA

August 10, 2015

Dear Judge Turgeon,

It gives me great pleasure to extend warmest regards and congratulations as you join with other members of the judicial and legal community and residents of Dauphin County to celebrate the 230th anniversary of the Dauphin County Court of Common Pleas.

This anniversary is a remarkable milestone in the history of the Pennsylvania Court System. I wish you a wonderful and memorable celebration on September 15. The hard work that you and the committee members have dedicated to this event is a true testament to your commitment to justice throughout the years.

I look forward to your continued longevity and success.

Sincerely,

A handwritten signature in blue ink that reads "Bob Casey, Jr." in a cursive style.

Robert P. Casey, Jr.  
United States Senator

PATRICK J. TOOMEY  
PENNSYLVANIA

COMMITTEES:  
FINANCE  
BANKING, HOUSING, AND  
URBAN AFFAIRS  
BUDGET

## United States Senate

WASHINGTON, DC 20510

August 5, 2015

The Honorable Jeannine Turgeon  
Pennsylvania Court of Common Pleas  
Twelfth Judicial District  
Dauphin County Court House  
101 Market Street  
Harrisburg, PA 17101

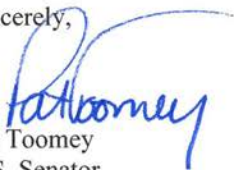
Dear Judge Turgeon,

I would like to extend my heartfelt congratulations to the Dauphin County Court of Common Pleas on celebrating 230 years of service to the people of Pennsylvania.

Serving area residents for 230 years, the Dauphin County Court of Common Pleas has a deep and rich history. Its founding in 1785 reflected early settlers' deep commitment to the rule of law. The Court's continual service since that time is a testament to the undying importance of the rule of law to our Republic. In addition to hearing local civil and criminal claims, the Court, located near the seat of state government, also served as the court of first resort for state constitutional claims during important periods in the commonwealth's jurisprudence. The Court has left an indelible mark not just on Dauphin County, but Pennsylvania as a whole.

Congratulations again on achieving this milestone. Best wishes to the Court as it continues to serve Dauphin County.

Sincerely,



Pat Toomey  
U.S. Senator

- 15TH DISTRICT  
**ROB TEPLITZ**
- SENATE BOX 203015  
HARRISBURG, PA 17120-3015  
717-787-6801  
FAX: 717-783-3722
  - 916-B NORTH RIVER ROAD  
PARK PLAZA  
HALIFAX, PA 17032  
717-896-7714  
FAX: 717-896-7717
  - 46 KLINE VILLAGE  
HARRISBURG, PA 17104  
717-232-2937  
FAX: 717-232-2656
  - 7 WEST MAIN STREET  
NEW BLOOMFIELD, PA 17068  
717-582-2454  
FAX: 717-582-2487
- WEB: [www.senatorteplitz.com](http://www.senatorteplitz.com)  
FACEBOOK: [StateSenatorRobTeplitz](https://www.facebook.com/StateSenatorRobTeplitz)  
TWITTER: [@SenatorTeplitz](https://twitter.com/SenatorTeplitz)



Senate of Pennsylvania

August 24, 2015

**COMMITTEES**

LOCAL GOVERNMENT, DEMOCRATIC CHAIR  
AGRICULTURE & RURAL AFFAIRS  
APPROPRIATIONS  
COMMUNITY, ECONOMIC & RECREATIONAL  
DEVELOPMENT  
EDUCATION  
FINANCE  
POLICY

**CAUCUSES**

GOVERNMENT REFORM,  
FOUNDER AND CO-CHAIR  
EARLY CHILDHOOD EDUCATION  
ECONOMY, BUSINESS & JOBS  
THIRD CLASS CITIES

BASIC EDUCATION FUNDING COMMISSION  
CAPITOL PRESERVATION COMMITTEE

The Honorable Richard A. Lewis, President Judge  
Dauphin County Court of Common Pleas  
Dauphin County Courthouse  
101 Market Street  
Harrisburg, PA 17101

Elizabeth G. Simcox  
Dauphin County Bar Foundation  
213 North Front Street  
Harrisburg, PA 17101

Dear Judge Lewis and Ms. Simcox:


I recently learned of an important milestone in the history of Dauphin County as well as for the Dauphin County judicial system and thought that it deserved formal recognition by the Senate of Pennsylvania.

I am proud to present you with the enclosed Congratulatory Citation to acknowledge this achievement. It is sponsored by myself and Senator Mike Folmer, and bears the seal of the Senate of Pennsylvania.

Please accept my sincere congratulations on this great day. I regret that neither Senator Folmer nor myself are able to present this citation personally on September 15 due to my observance of Rosh Hashanah, and a prior commitment of Senator Folmer. Our thoughts will be with you as you celebrate this event.

Congratulations and best wishes! If I can be of any assistance now or in the future, please do not hesitate to contact me.

Sincerely,

  
ROBERT F. TEPLITZ  
State Senator

RFT/eav  
Enclosure

# Senate of Pennsylvania



HARRISBURG, PA

## Congratulations

In the Senate, July 14, 2015

Whereas, The Senate of Pennsylvania takes great pride in recognizing those entities which, through adherence to the highest standards of service, contribute in a meaningful way toward a better and more productive society; and

Whereas, The Dauphin County Court of Common Pleas is celebrating the momentous occasion of its two hundred thirtieth anniversary during an event, which will be held on September 15, 2015; and

Whereas, A guarantor of law and guardian of the rights granted to the community, the Dauphin County Court of Common Pleas handles jury trials for criminal and civil matters, juvenile hearings, spousal and child support hearings, estate matters, guardianship hearings, land use disputes, name changes, license suspension appeals and emergency matters, such as injunctions. Its first case was heard on May 17, 1785, and during the court's first session, which was held in a log cabin at the intersection of Front and Washington Streets in Harrisburg, fourteen entries appeared in the docket and thirteen lawyers were admitted to practice. The Dauphin County Courthouse moved several times prior to finding its first permanent home, which was constructed between 1792 and 1799, and it served as the meeting location for the State legislature from 1812 to 1821. In 1948 the Dauphin County Courthouse was erected at the intersection of Market and Front Streets, where it remains today. The Dauphin County Court of Common Pleas has developed a strong reputation for steady adherence to the principles of fairness, reliability and integrity.

Now therefore, the Senate of the Commonwealth of Pennsylvania congratulates the Dauphin County Court of Common Pleas upon this special milestone in its proud history; extends warmest wishes for a future replete with ever-increasing success and service to the community;

And directs that a copy of this document, sponsored by Senator Rob Feplitz and Senator Mike Folmer, be transmitted to the Dauphin County Court of Common Pleas, 101 Market Street, Harrisburg, Pennsylvania.



Attest:

  
Megan Folino Concedine, Secretary

SCOTT PERRY  
4TH DISTRICT, PENNSYLVANIA

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TRANSPORTATION AND  
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**Congress of the United States**  
**House of Representatives**

September 15, 2015

The Honorable Jeannine Turgeon  
Pennsylvania Court of Common Pleas - Twelfth Judicial District  
Dauphin County Court House  
101 Market Street  
Harrisburg, PA 17101

Dear Judge Turgeon,

Please accept my sincere congratulations on the 230th Anniversary of the Court of Common Pleas of Dauphin County. This record of service to the Commonwealth of Pennsylvania truly is exceptional.

The first session of the Dauphin County Court was convened on May 17, 1785, and demonstrated that the settlers who inhabited this region along the Susquehanna River were dedicated to maintaining order and representing the rule of law. By 1811, the Dauphin County Court served as the tribunal of first resort for many civil cases.

The Dauphin County Court's role in the mediation of civil cases expanded until the creation of the Commonwealth Court under the 1970 Pennsylvania Constitution amendments. Since that time, the Court has ruled on many significant cases and assumed an important role in Pennsylvania history.

The evolution of the Dauphin County Court of Common Pleas underscores the commitment of the early settlers to the fundamental importance the rule of law in our democracy. The Dauphin County Court of Common Pleas continues to provide outstanding service to our citizens and remains a strong pillar of our community and Commonwealth. Congratulations to the Court and its employees on this Anniversary and auspicious milestone. Thank you for your service, and I wish you continued success in the years to come.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott Perry".

SCOTT PERRY  
Member of Congress  
4th District, Pennsylvania

YORK  
2209 EAST MARKET STREET  
YORK, PA 17402  
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22 CHAMBERSBURG STREET  
GETTYSBURG, PA 17325  
(717) 338-1919

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# Commonwealth of Pennsylvania



## The House of Representatives

### Citation

**Whereas**, The House of Representatives of Pennsylvania is always proud to recognize those institutions which, through adherence to the highest standards of service, contribute to the well-being of their communities and ultimately to all the people of this Commonwealth; and

**Whereas**, The Dauphin County Court of Common Pleas is being honored upon the momentous occasion of its two hundred thirtieth anniversary during an event, which is being held on September 15, 2015; and

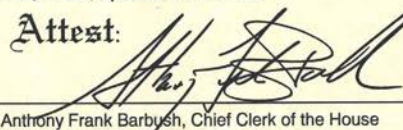
**Whereas**, The first session of the Dauphin County Court of Common Pleas was convened on May 17, 1785, in a log cabin several blocks south of the location of the present courthouse at Front and Market Streets in Harrisburg. Throughout its existence, the court has served an important role in the development of the laws of Pennsylvania and the lives of the citizens of Dauphin County. From the earliest days of this Commonwealth, the Dauphin County Court of Common Pleas has stood firm as the guarantor of the rule of law and protector of the rights granted to the hardy settlers who sought to build a community, a Commonwealth and a nation on the banks of the Susquehanna River and beyond. Today, as the Dauphin County Court of Common Pleas has adapted to deal with challenges and issues of which the first settlers could not even conceive, it remains a pillar of the community and a bulwark of democratic government.

**Now therefore**, the House of Representatives of the Commonwealth of Pennsylvania congratulates the Dauphin County Court of Common Pleas upon this joyous and momentous occasion; offers best wishes for continued success and exceptional service to the citizens of this Commonwealth;

**And directs** that a copy of this citation, sponsored by the Honorable Patty H. Kim on July 24, 2015, be transmitted to the Dauphin County Court of Common Pleas, Front and Market Streets, Harrisburg, Pennsylvania 17101.

  
Patty H. Kim, Sponsor

  
Mike Turzai, Speaker of the House

**Attest:**  
  
Anthony Frank Barbush, Chief Clerk of the House





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Court Reporter

Paul Kompare  
Court Clerk/Crier

*Jeannine Turgeon*  
Judge

COURT OF COMMON PLEAS  
Twelfth Judicial District

Dauphin County Court House  
101 Market Street  
Harrisburg, Pennsylvania 17101

Telephone: (717) 780-6655  
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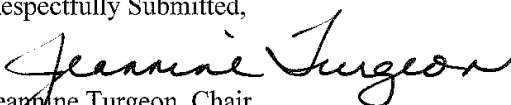
TO THE CITIZENS OF DAUPHIN COUNTY:

It is an honor and a privilege to serve as Chair of the Committee planning the celebration of the 230<sup>th</sup> anniversary of the Dauphin County Court of Common Pleas. Countless dedicated hours have been contributed by numerous wonderful civic-minded individuals.

Included in this celebration is a Courthouse tour, a program in Courtroom One and this commemorative booklet.

Congratulations to everyone who has contributed to making this celebration and booklet a wonderful success. Thank you to all of the citizens, elected officials, attorneys, our Dauphin County Bar Association staff, Court staff, Judges and their families who have participated in the Dauphin County Court's continuing pursuit of justice.

Respectfully Submitted,

  
Jeannine Turgeon, Chair  
230<sup>th</sup> Anniversary Committee



# History of the Dauphin County Court of Common Pleas

By Roger B. Meilton, Esq

In 2015 we celebrate the 230th anniversary of the founding of the Dauphin County Court of Common Pleas. In so doing we recognize not only the Court's ongoing service to the citizens of Dauphin County but also the Court's historic beginnings and the significant contributions the Court has made, and continues to make, to the development of Pennsylvania jurisprudence and the history of our Commonwealth.

It is difficult to imagine today the challenges and hardships that confronted the first pioneer families that settled in the region that we know today as Dauphin County. Approximately sixty-five years before the establishment of Dauphin County, John Harris and his wife Esther moved from Chester county to build a log home on the banks of the Susquehanna. The log home was located approximately at the site of Front and Paxton streets today. John Harris, Jr., the founder of Harrisburg and the leader of the movement to establish Dauphin County, was born around 1727. Other settlers followed in the footsteps of John Harris, Sr. and, in December 1733, the proprietaries of Pennsylvania granted to him by patent, three hundred acres of land within which was included the site of the present Dauphin County courthouse. In 1733, John Harris, Sr. established the first ferry across the Susquehanna, which in time became to be known as Harris' Ferry.

In his *Memoirs of a Life Chiefly Passed in Pennsylvania*, published first in Harrisburg in 1811, Alexander Graydon, commenting on his appointment as the first Prothonotary of the

Dauphin County Court of Common Pleas, observed that:

*Among the newly introduced maxims of republicanism, it was a highly favored one in Pennsylvania, to bring justice home to every man's door. In the spirit of this principle, several new counties had been erected; and in 1785, I had the good fortune, through the warm exertions of an influential friend, to obtain an appointment to the prothonotaryship of the county of Dauphin.*

Clearly, the early settlers recognized the importance of the "rule of law" as they looked to the courts to maintain order in society.

They looked first to the courts in Chester and Philadelphia counties and later Lancaster County (created in 1729 from a portion of Chester County by an Act of the Pennsylvania Assembly). By an Act of the General Assembly on March 4, 1785, Lancaster County was divided to establish Dauphin County and to further provide that the seat of government and justice should be near Harris' Ferry. The Act of March 4, 1785 settled a controversy among John Harris Jr. and others as to whether Harris' Ferry or Middletown should enjoy the distinction of serving as the county seat. Dauphin County was reduced to its present boundaries by the creation of Lebanon County in 1813.

There was an  
initial

controversy as to whether Harris' Ferry should be called "Harrisburg" or "Louisbourg" in recognition of the King of France. Early records of the Court reflect, for a time, a change from "Harrisburg" to "Louisbourg." John Harris, however, insisted on "Harrisburg" and by 1791, and thereafter, the designation Harrisburg appears in the records of the Court.

Within a few years after Dauphin County was established, the flourishing town of Harrisburg came into existence. In 1785, however, there was no need for a courthouse in the modern sense we understand today. A small log building sufficed to meet the needs of a newly formed county government in a frontier wilderness. The first session of the Dauphin County Court convened in this small log house that stood in the vicinity of Front and Washington Streets, several blocks south of the present courthouse at Front and Market Streets. The building is reported to have afforded "a rude courtroom, a few filing boxes and several desks to hold the will and deed books and the dockets of the civil and criminal courts." The pillory or punishing place was nearby and stood about 60 yards below the grave of John Harris, just above the old Ferry House at the junction of Front and Paxton Streets.

The log house where the Court first convened is reported to have stood until about 1840 and from other sources until 1843. Yet another history of Dauphin County published in 1846 reports that "the building in which the first Court was held still stands – the dilapidated log house in the rear of what was Hise's brewery."

The Court subsequently occupied a log jail on Strawberry Alley and a log house which stood on Market Street near Dewberry Alley. After several other moves, the Court finally acquired a permanent home when a permanent Dauphin County courthouse was built between 1792 and 1799 at the intersection of Raspberry Street and Market Street. Raspberry Street was later appropriately named Court Street.

The tract on which the courthouse was built was originally set aside for that purpose by John

Harris Jr. in his original plan for Harrisburg. When Harrisburg was designated as the capital of Pennsylvania in 1812, the Dauphin County courthouse was made available to house the Pennsylvania legislature. From 1812 to 1822 the Court moved into a partially finished brick building that would later be known as the White Hall Tavern, and subsequently into brick buildings erected by the County Commissioners at the corner of Walnut and Raspberry Streets. There the Court remained until construction of the State Capitol was completed in 1821.

The courthouse completed in 1799 is described in Kelker's History of Dauphin County as "an antique affair of brick, two stories high, with wings and a semi-rotunda in front, which was added to the building by the state of Pennsylvania" during the period in which the legislature met in the building.



*1799 Courthouse*

Various histories of Dauphin County provide a detailed accounting of the expenditures in pounds for construction of the courthouse. Converted to current dollars the courthouse is reported to have cost about \$6,000.

The courthouse completed in 1799 was demolished in 1860 to make way for a new courthouse on the same site. The new courthouse, erected at a cost of \$57,012, provided two court rooms and was completed in 1861. In 1894 an annex was added to provide space for two additional court rooms, the law library and chambers for the judges at a cost of about \$11,000.



*1861 Courthouse*

By the 1930s voices were raised calling for construction of a new and modern courthouse for Dauphin County to replace what had become a run-down and outdated building. In 1938, the County made plans to build a new courthouse at Fourth and Walnut Streets but that project failed to win approval. With strong support from the Dauphin

## The Cornerstone and Bell from the 1860 Courthouse



**Dauphin County Courthouse Cornerstone Removal**

On June 3, 1948, workmen removed the cornerstone of the Dauphin County Courthouse during its demolition. When the cornerstone was laid on August 7, 1860, a metal box was placed inside that contained several articles: a copy of the city charter, a copy of the annals of Harrisburg, copies of all newspapers published in Dauphin County in the year 1860, a copy of the specifications and the contract for building the courthouse, a specimen of a newly invented powder, a lot of postage stamps, a copy the "Rules of Court" of the Supreme Court and of Dauphin and Lebanon counties, a copy of the Bible, a collection of business cards, a bottle with samples of ground seed, corn barley, oats and red Mediterranean wheat, parchments containing names of officers of state and city government, judges of the court, members of the bar, county officers, prison inspectors and keepers, and names of contractors and builders of the courthouse. The box and its contents were badly deteriorated. **Photo ID: Fo5603-3.**

*Photo source:  
Dauphin County  
Historical Society*



*This photo depicts a courtroom in the old courthouse on Market Street on a day in 1890, when the Dauphin County Bar Association was in session. On the bench are Judges Simonton and McPherson. Others present include Murray Graydon, John Weiss, Samuel McCarrell (later a judge), M.W. Jacobs, L. M. Neiffer, Clayton Backenstow, Solomon Rupp, John E. Fox (later a judge) and Isaac Swartz.*

*From the Collection of Warren E. Harder*

County Bar Association, plans to build a new courthouse at Front and Market Streets were finally approved and bids for construction were opened in May 1941. In his *History of the Law and Lawyers in Dauphin County* published by the Dauphin County Bar Association in 2008, Don Sarvey notes as follows:

*Symbolically, the site could not have been more appropriate. The one acre upon which the courthouse was to be built was part of the 300 acres originally given to John Harris, Sr., by the proprietors of Pennsylvania. The old courthouse was also on land that had been given to Harris and deeded by him. That fact, however, created a legal thicket that had to be cleared away before the construction project could become reality. There was a question of whether the old courthouse could be sold and the money applied to the construction of the new one. At the time Walter R. Sohn, later to become a Dauphin County judge, was serving as county solicitor. According to the recollection of Judge Homer L. Kreider, Sohn,*

*'was confronted by a deed recorded in 1785 by John Harris, the founder of this city.' Harris had given four lots specifically for a courthouse and jail. 'The question was whether there was a reversionary interest in the heirs of John Harris,' Kreider said. Two of Harris's heirs, William B. Pearson and John B. Pearson, the latter a Dauphin County lawyer, were invited, and they agreed to bring a 'friendly suit' against the county commissioners 'to test the title and determine whether this land on which the old courthouse stood could be sold.' According to Kreider's account, 'The case was argued, and believe it or not the Dauphin County Court was persuaded that the old courthouse could be sold, free and clear of encumbrances, and so held in an opinion written by the late Judge Frank B. Wickersham.' But the case did not end at that point. To be on the safe side, the parties involved agreed to take an appeal all the way up to the Supreme Court of Pennsylvania. The Supreme Court unanimously affirmed the decision of the Dauphin County Court, though one of the justices, William J. Schaffer, a Chester County native, disqualified himself because he was a direct descendent of John Harris.*

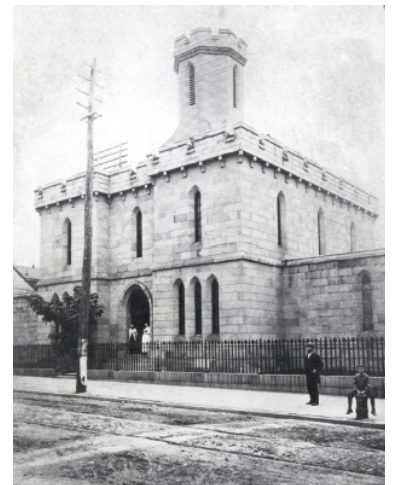
The current Dauphin County courthouse was completed in 1943 at the central entrance to the city of Harrisburg at the intersection of Front and



Market Streets at a cost of approximately two and a quarter million dollars. The building was designed by the noted Harrisburg architectural firm of Lawrie and Green in the neo-classical revival interpretation of the Art Deco style.

The first Dauphin County prison was a small two-story log structure built about 1790 near the corner of Walnut and Court Streets (then called Raspberry Street). The land for the prison had been provided by John Harris, Jr. when he laid out the town in 1785. In 1797 a limestone wall was built around the prison to limit the possibility of escapes.

A second Gothic style prison was completed in 1841 on the same site, after removal of the building erected in 1790 but within the original stonewall. The prison was a two-story, limestone building, containing 40 cells that each measured 15 feet in length and 7 1/2 feet in width. Twenty were on each floor, ten fronting either side of a corridor. The prison, originally constructed at a cost of \$40,000, was remodeled in 1899 when two tiers were added and the front facade was altered to brick.



1841 Prison

The *Dauphin County Prison Year-End Report* for 2013 indicates in a short history of the prison that "A County grand jury visiting the structure in 1920 found good conditions there but nevertheless recommended that the prison be relocated to the suburbs near the county home. This was not accomplished until many years later after the escape of a condemned murderer – and when conditions of the physical plant had deteriorated badly. Of 160

1792-99 Dauphin County Courthouse & 1841 Prison - 1858 Map



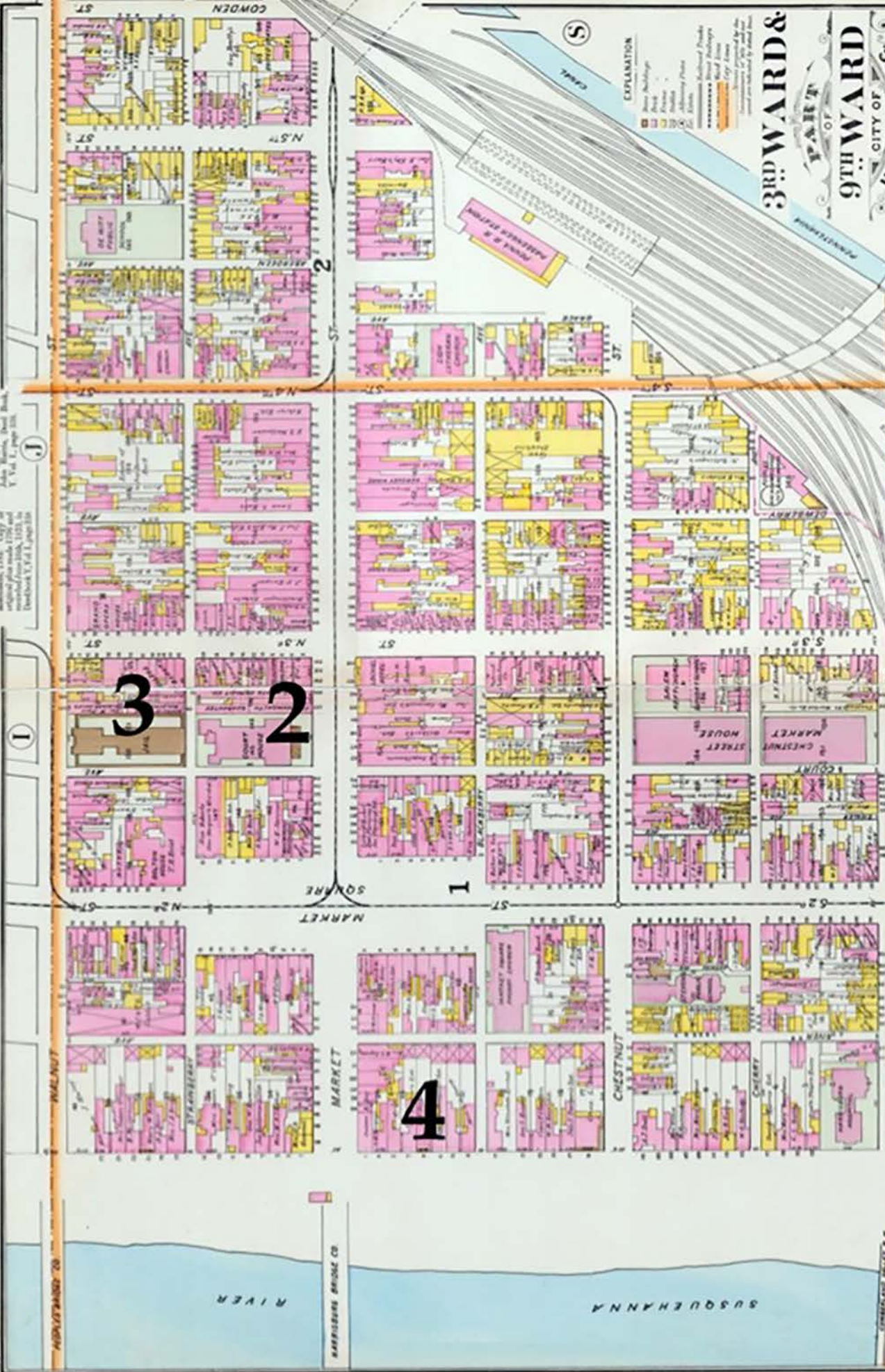
Map - Library of Congress. Configured by Jeb Stuart

1—Original boundaries, part of all lots, lines, etc. of original plan made 1792 and marked from 1835, to datebook V, of L. page 316.

2—Addition to Original Plan of lots, lines, etc. of original plan made 1792 and marked from 1835, to datebook V, of L. page 316.

3—Addition to Original Plan of lots, lines, etc. of original plan made 1792 and marked from 1835, to datebook V, of L. page 316.

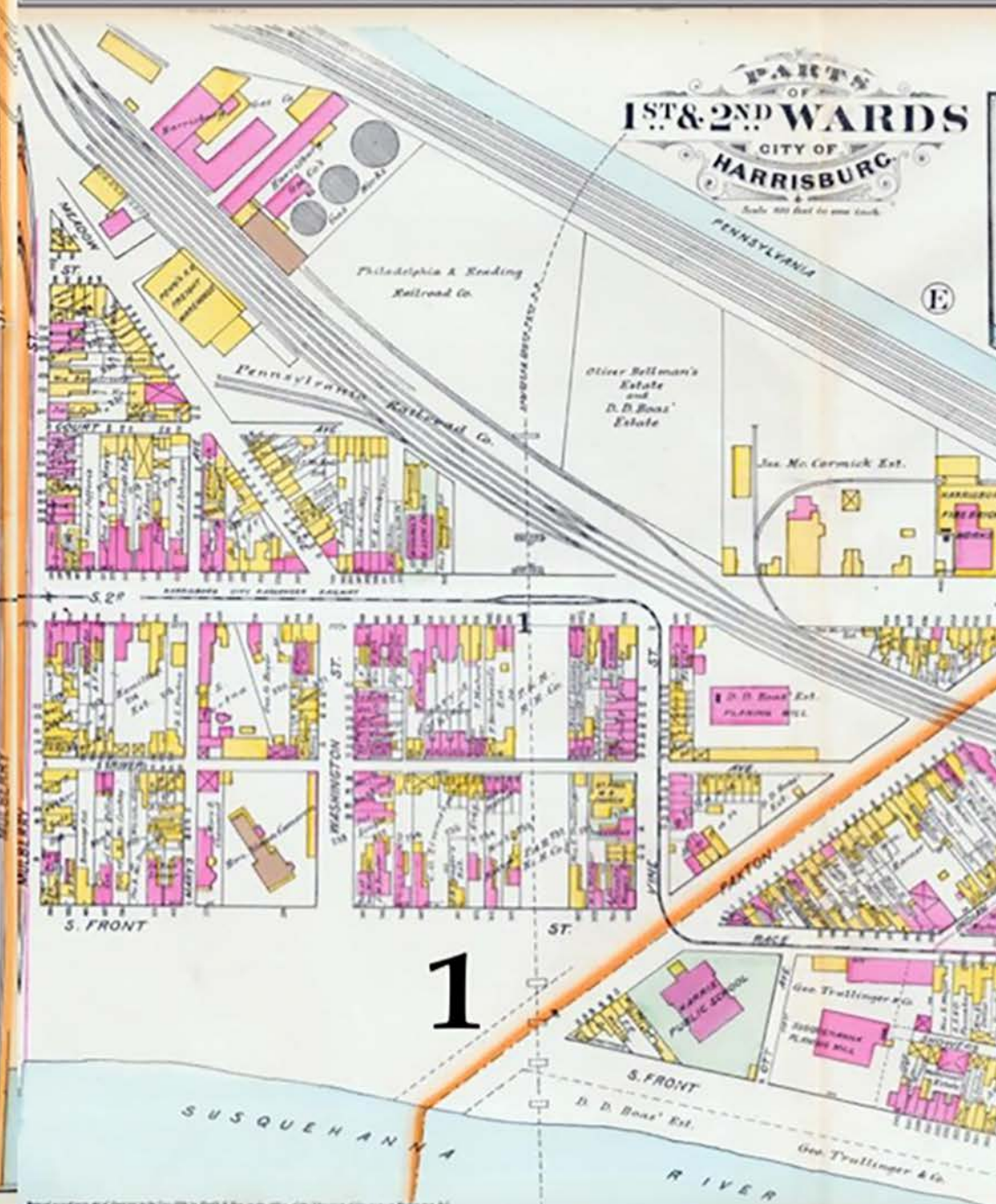
4—Addition to Original Plan of lots, lines, etc. of original plan made 1792 and marked from 1835, to datebook V, of L. page 316.



# Dauphin County Courthouses and Prison Downtown Harrisburg in 1889

1. Approximate site of the 1785 Courthouse
2. Location of 1792-99 and 1860 Courthouses
3. Location of the old Dauphin County Prison
4. Site of the current Dauphin County Courthouse

Atlas courtesy HSDC. Configuration Prepared by Jeb Stuart



cells in the jail in 1952, 18 cells could not be used, and major repairs to the heating, electrical, and plumbing systems were needed.”

Lee C. Swartz, a member of the Dauphin County Bar since 1962, a Past President of the Dauphin County Bar Association and a lifelong Harrisburg native recalls that as a sophomore and a member of a German band sponsored by John Harris High School, he and other band members performed for inmates at the prison in the early 1950s.



1952 Prison

The building was demolished in 1957 after the dedication of the current prison in Swatara Township on June 23, 1956. The current prison, located on Mall Road next to the Harrisburg East Mall, currently houses over 1,000 inmates.



Prison Dedicated 1956 - Present

### Punishments Imposed By the Court

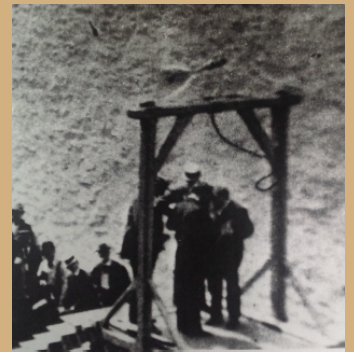
In an address marking the sesquicentennial of the Dauphin County Courts in 1935, President Judge William M. Hargest recounted the early history of



the Court. In so doing, he referred to the punishments that were imposed in the early days of the Court.

Until 1789 confinement in the pillory and whipping were commonly imposed punishments for theft and other offenses. In addition, however, there were a number of cases between the first Court session in 1785 and 1789, “in which the defendants were required to stand for 1 to 3 hours in the pillory and the sentence also included that the ‘ears of the culprit be cut off and nailed to the pillory.’ This was the sentence for horse stealing, which seemed to be about the most heinous offense then committed, certainly the only one for which that penalty was prescribed, the apparent purpose being that a horse thief should be permanently branded.”

The first persons executed after the establishment of the Court in 1785 were Charles McManus and John Hauer, both convicted of murder; they were executed by hanging on July 14, 1798. The last two hangings in Dauphin County occurred in 1901 and 1902



in Harrisburg in the courtyard of the jail located behind the courthouse and bordered by Court Street on the west side and Third Street on the east side. Not much is known about the hanging of Elmer Barner. He was convicted in the shooting death of Elmer Miller, near Halifax, Dauphin County. In November of 1901, Henry Tower and Weston Keiper attempted to rob the Halifax Bank. During the robbery Mr. Luther Ryan a cashier in the bank was shot and killed. Townspeople apprehended Mr. Keiper after wounding him slightly in the back of the head with a shotgun. Mr. Tower was also



apprehended. Both were taken to the county jail in Harrisburg. They were found guilty in March 1902, and were executed shortly thereafter.



## *Judges Who Formerly Served on the Dauphin County Court of Common Pleas*

**T**he first Court of Common Pleas and of Quarter Sessions of the Peace and Goal Delivery convened on May 17th, 1785. Three judges were appointed: Timothy Green, Samuel Jones, and Jonathan McClure. All three of the judges were actually Justices of the Peace, not “learned in the law,” and all had served in the Revolutionary War. Green became “president of the courts” by virtue of being the oldest commissioned Justice of the Peace at the time of the adoption of Pennsylvania’s Constitution of 1776. Five years after Judge Green was in office, the Pennsylvania Constitution of 1790 required all judges to be “learned in the law.” Judge Green then retired and became an operator of a grist mill at Dauphin. He is buried in the Dauphin Cemetery and a historical marker has been erected in his memory on the Peters Mountain Road.

A paper prepared in 1885 in conjunction with the 100th anniversary of the founding of Dauphin County, while sadly reflecting the prejudices of the times toward native Americans, provides an interesting insight into the lives of the first three judges of the Dauphin County Court and the roles they played in the early history of our country:

**Timothy Green**, the presiding justice, was born about 1733, in Hanover Township, Lancaster—now Dauphin County, Pennsylvania. His father, Robert Green of Scotch ancestry came from the north of Ireland about 1725, locating near the Kittochtinny mountains, on Manada Creek. The first record we have of the son is subsequent to Braddock’s defeat, when the frontier settlers were threatened with extermination by the marauding savages. Timothy Green

*assisted in organizing a company, and for at least seven years was chiefly in active military service and protecting the settlers from the fury of the bloodthirsty Indian. In the Bouquet expeditions of 1763 and 1764, he commanded a company of Provincial troops. For his services at this time, the Proprietaries granted him large tracts of land in Buffalo Valley and on Bald Eagle Creek. At the outset of the Revolution, Captain Green became an earnest advocate for independence, and the celebrated Hanover resolutions of June 4, 1774, passed unanimously by the meeting, of which he was chairman, show that he was intensely patriotic. He was one of the Committee of Safety of the Province, which met on Nov. 22, 1774, in Lancaster, and issued hand-bills to the import that “agreeable to the resolves and recommendations of the American Continental Congress, that the freeholders and others qualified to vote for representatives in Assembly, choose, by ballot, sixty persons, for a Committee of Observation, to observe the conduct of all persons towards the actions of the General Congress; the Committee, when elected to divide the country into districts and appoint members of the committee to superintend each district, and any six appointed to be a quorum, etc.” The election was held on Thursday, 15th December, 1774, and among others Timothy Green was elected from Hanover. This body of men were in correspondence with Joseph Reed, Charles Thompson, George Clymer, John Benezet, Samuel Meredith, and Thomas*

Mifflin of Philadelphia, and others. They met at Lancaster again, April 27, 1775 when notice was taken of General Gage's attack upon the inhabitants of Massachusetts Bay, and a general meeting called for the first of May at Lancaster. During the progress of the Revolution he commanded the Tenth Battalion of Lancaster Associators, and was in active service in the New Jersey campaign 1776. Before the erection of the County of Dauphin, Col. Green having been the oldest justice of the peace in commission, and under the Constitution of 1776, became president of the courts. He continued therein until, under the Constitution of 1790, which required the presiding judge "to be learned in the law," Judge Atlee of Lancaster was appointed. After his retirement, Judge Green returned to his quiet farm at the mouth of Stony Creek, where he had erected a mill and other improvements. He died there on 27th February, 1812, and is buried in the old graveyard back of Dauphin. His legal knowledge was not of the highest order, but he was surrounded by as brilliant a bar as has since illuminated our county courts, and hence said little and acted wisely.

**Samuel Jones**, associate justice, was from Bethel Township, now in Lebanon County, where he was born about the year 1750. His father, William Jones, laid out Jonestown, dying in November, 1771, the son coming into possession of the greater portion of the estate. He was in active service during the struggle for independence, and on November 8, 1777 was appointed by the Supreme Executive Council one of the commissioners to collect clothing, blankets, etc. for the half-clad army at Valley Forge. This service was well performed. On the 15th August, 1784, he was appointed one of the justices of the peace for Lancaster County, and

judge of the court of common pleas January 3, 1785. He was the next oldest in commission when the new county of Dauphin was formed. Of Judge Jones's subsequent life we have little knowledge. It has been stated that he moved to Pittsburgh towards the close of the century, but even that is not certain.

Of **Jonathan McClure**, the remaining associate justice, we have better information. He was the son of Richard McClure, born about 1745 in Paxtang Township, Lancaster, now Dauphin. He was one of Joseph Hutchinson's pupils, received a good English education, and was brought up to mercantile pursuits. When the war of the Revolution needed his support, he became a lieutenant in Capt. John Rutherford's company and did valiant service during the New Jersey campaign of 1776, and around Philadelphia the year following. Towards the close of the war he commanded a company of militia raised in Paxtang for the defense of the frontiers. He was commissioned by the Supreme Executive Council a justice of the peace September 8th, 1784, and on the 17th of November following one of the judges of the court of common pleas. When the county of Dauphin was organized the spring following he came to be one of the first judges of the courts. He died at Middletown on Wednesday, December 11, 1799 aged about fifty-four years. Of the three persons who illuminated the judicial bench one hundred years ago, Judge McClure was the most intelligent. He was one of the men of mark of this locality and it is proper that his memory, with those of the other two worthies, his colleagues, be preserved.

Under Pennsylvania's Constitution of 1790 judges received their commission for life subject to removal either by impeachment or for reasonable cause by the Governor upon a two-thirds vote of

both branches of the legislature. The Pennsylvania Constitution of 1838 provided for ten-year judicial appointments by the Governor with Senate approval. A constitutional amendment in 1850 removed all sitting judges and replaced them with judges selected by popular election. Under the Constitution of 1874 the term of judges of the court of common pleas was set at ten years. Amendments to the Pennsylvania Constitution in 1968 provided for judges to be selected by popular election for their initial 10 year term and thereafter to stand for retention by a yes or no vote of the electorate.

The first presiding judge in Dauphin County “learned in the law” as required by the Pennsylvania Constitution of 1790 was William Augustus Atlee of Lancaster who was commissioned August 17, 1791. From 1791 until the election of Judge Simonton in 1881, all the judges appointed or elected to the Dauphin County Court were from counties other than Dauphin County. “The practice of appointing judges residing elsewhere was never satisfactory, their term of service was generally short prior to transfer to other districts and they did not identify themselves with the community.” John J. Pearson, of Mercer County was appointed to the Court in 1849 and, after 1850, judges were elected rather than appointed. Judge Pearson promptly identified himself with the county and was elected in 1851, 1861 and 1871.

The following is a summary description of the judges who have served on the Dauphin County Court of Common Pleas from 1790 until 2009. The current judges are identified in the Court Today section of this booklet. A short biographical description is provided for each judge. For more complete biographical descriptions and the sources therefore see: [https://www.dcbapa.org/UserFiles/File/court history.pdf](https://www.dcbapa.org/UserFiles/File/court%20history.pdf)

**William Augustus Atlee** (1791 - 1793) was born July 1, 1735 in Philadelphia. He later moved to Lancaster

where he read law with Edward Shippen. Admitted to the bar on August 3, 1758, Atlee served on the Pennsylvania Supreme Court from 1777 to 1791. He served as chairman of the Committee of Public Safety of Lancaster during the Revolutionary War. The Act of April 13, 1791, 3 Sm. L. 33, created the Second Judicial District consisting of Chester, Lancaster, York, and Dauphin Counties. He served as the presiding judge in Dauphin County until his death in 1793.



**John Joseph Henry** (1793 - 1810) of Lancaster was admitted to the bar in February of 1785. His service during the War for Independence is recorded in his widely read work entitled *Band of Heroes Who Travelled the Wilderness in the Campaign Against Quebec in 1775* first published in Lancaster in 1812. He practiced until his appointment to President Judge of the Second Judicial District by Governor Thomas Mifflin on December 16, 1793. The Act of February 24, 1806, P.L. 334, divided the state into ten judicial districts. The Second Judicial District included Lancaster, York and Dauphin. Judge Henry resigned in 1810 and died April 15, 1811.

**Walter Franklin** (1811 – 1815) of Lancaster was admitted to the bar in Philadelphia in 1792 at the age of nineteen. He was appointed Attorney General of Pennsylvania on January 9, 1809. On January 18, 1811 he was appointed as President Judge of the Second Judicial District by Governor Simon Snyder. In the Act of February 16, 1815, P.L. 22, the Twelfth Judicial District was created and consisted of Schuylkill, Lebanon, and



Dauphin Counties. Judge Franklin continued to preside in Lancaster County where two attempts were made to impeach him. Some sources state that Judge Franklin resigned during the second impeachment attempt and others state that both attempts were unsuccessful. Judge Franklin died on February 7, 1836.

**Amos Ellmaker** (1815 - 1816) of Lancaster was admitted to the bar in 1808 and began practicing law in Harrisburg. He was appointed deputy attorney general for Dauphin County on January 13, 1809 at 21 years of age. At 28 years of age he was appointed as the first President Judge of the Twelfth Judicial District of Pennsylvania on July 3, 1815. He resigned as President Judge on December 1816 after accepting an appointment as Attorney General and served until 1819. He declined the following appointments: United States Secretary of War by James Monroe, Secretary of the Commonwealth, and Justice of the Supreme Court. He was again appointed as Attorney General by Governor John Andrew Shulze until August 17, 1829. In 1832 he ran unsuccessfully as candidate for Vice President of the United States and in 1834 he lost an election for a seat in the U.S. Senate to James Buchanan. He died on November 28, 1851.



**David Scott** (1816 – 1818) a resident of Bradford County, was appointed judge of the Twelfth Judicial District by Governor Simon Snyder on December 21, 1816. He served less than two years, resigning on July 29, 1818, at which time he was appointed judge of the



Eleventh District comprised of Luzerne, Pike, and Wayne Counties. He was known as a good judge with a short temper. He went on to preside in the Eleventh District until 1838.

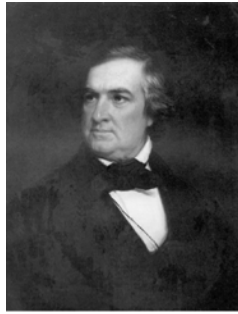
**Samuel D. Franks** (1818 – 1830) of Reading was admitted to the Berks County Bar on August 10, 1805. He served as a major in the War of 1812 in the Berks County regiment of volunteers. Samuel Franks was appointed Judge of the Twelfth Judicial District on July 29, 1818, by Governor Findlay. Judge Franks, according to Judge Kreider, “was a talented man, possessed of humor and an agreeable personality. His talents, however, were not always exercised in the law.” There were two attempts to impeach Judge Franks, one in 1827 and the other in 1829. Judge Franks resigned on January 12, 1830, the date the committee report on impeachment was issued.

**Calvin Blythe** (1830 – 1839 and 1842 – 1843) a native of Adams County, was appointed President Judge of the Twelfth Judicial District on February 1, 1830. He served until he was appointed Collector of Customs in Philadelphia on June 20, 1839. On February 5, 1842, Calvin Blythe was reappointed President Judge of the Twelfth Judicial District. Judge Blythe again resigned in March 1843, when he was reappointed Collector of Customs. After serving as Collector of Customs, Judge Blythe practiced law in Philadelphia until his death in 1849.



**James Madison Porter** (1839 – 1840) was born in 1793 near Norristown, Pennsylvania. He was admitted to the bar by 1813 and in 1839 was appointed by his brother, Governor David Porter, to become the President Judge of the Twelfth Judicial District. He presided for one year before resigning to resume his

law practice. In 1843, President John Tyler appointed Judge Porter to become the Secretary of War. Judge Porter served for almost one year before being rejected by the Senate, with whom Porter had poor relations. He returned to Pennsylvania, where he was elected to the state legislature in 1849 and was chairman of the Judiciary Committee. He also served as the President Judge of Twenty-Second Judicial District from 1853-1855. Judge Porter died November 11, 1862.



**Anson V. Parsons** (1840 – 1841) was born in Granville, Massachusetts in 1798. He entered practice in the office of Andrew Porter in Lancaster,



PA and then relocated to Jersey Shore where he established his own practice. He was appointed on July 16, 1840, as President Judge of the Twelfth Judicial District by Governor Porter. He served until 1841 when he was transferred to Philadelphia.

Judge Parsons was known to be highly energetic and a strict disciplinarian. He authored “Parsons’ Select Equity Cases.” Judge Parsons died in Philadelphia on September 23, 1882.

**Nathaniel B. Eldred** (1843 – 1849) of Wayne County, was admitted to the bar on January 27, 1817. He

was appointed President Judge of the Twelfth Judicial District in 1843. During his appointment, he was greatly involved in lumber operations in the western part of Pennsylvania and neglected his judicial duties, being often absent on business. In 1849, he was



commissioned President Judge of the newly created Twenty-Second Judicial District and served until 1853 when he accepted a Naval Officer position in Philadelphia. Judge Eldred died on January 27, 1867.

**John J. Pearson** (1849 – 1882) was born October 25, 1800, near Darby in Delaware County. His great-great-great grandfather, William Warner, was one of the nine Justices that held the first Court in Pennsylvania in 1681. Pearson’s family relocated to Mercer, Pennsylvania in 1805. He was admitted to the Mercer County Bar in 1822. He served in Congress from 1835 to 1836, where he became friends with Daniel



Webster and Henry Clay. In April 1849, Pearson was appointed the President Judge of the Twelfth Judicial District by Governor William F. Johnson and relocated to Harrisburg. In 1850, a Judicial Article was adopted in the Constitution making the position of President Judge elected. Judge Pearson was elected to ten year terms in 1851, 1861, and 1871 without opposition. He declined reelection in 1881 with these words “My race is run; I am worn out in the service.” He continued to practice even after his retirement at the age of eighty-two. Judge Pearson was not only exceptionally regarded in the State of Pennsylvania, but throughout the nation and especially in the area of taxation. Judge Pearson died on May 30, 1888.

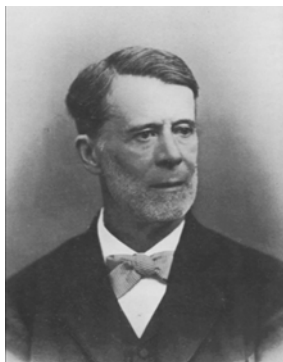
**Robert M. Henderson** (1874 – 1882) was born near Carlisle, Cumberland County on March 11, 1827, and was admitted to the bar in 1847. During the Civil war, Lieutenant Colonel Henderson served with distinction and was seriously wounded during the Second Battle of Bull Run at Manassas, on August

29, 1862. In December 1874 he was appointed Judge in the Twelfth Judicial District when the Act of April 9, 1874, P.L. 54, provided for an associate law judge. Upon the retirement of Judge Pearson in January 1882, Judge Henderson became President Judge and served until his retirement in February 1882.



He died in Carlisle on January 29, 1906.

**John W. Simonton** (1881 – 1903) was born in West Hanover Township, Dauphin County on December 2, 1830. He taught school in Mt. Joy, Lancaster County and studied law under Hamilton Alricks until he was admitted to the bar in 1853. In 1866, he was elected District Attorney of Dauphin County. In 1881, he was elected Judge of the Twelfth Judicial District to succeed Judge Pearson and became President Judge only a few months later upon the retirement of Judge Henderson. He was then reelected in 1891 and 1901. Judge Simonton was an active organizer of the Pennsylvania Bar Association in 1895 and was chosen to serve as the first President of the Association. Judge Simonton died in 1903.



**John B. McPherson** (1882 – 1899) was born in Harrisburg, Dauphin County on November 5, 1846. He studied law and was admitted to the Dauphin County Bar in 1870. In 1874, he was elected District Attorney and served for three years. In February 1882, McPherson was

appointed to succeed Judge Henderson in the Twelfth Judicial District and in November was elected to a full term. He maintained this position until 1899 when he was appointed judge to the United States District Court, Eastern District of Pennsylvania. In 1912, he was appointed to the Circuit Court of Appeals by President William Howard Taft and served until his death on January 20, 1919.

**John H. Weiss** (1899 – 1905) was born in Lebanon County on February 23, 1840. Weiss studied law under David Mumma and was admitted to the Bar of Dauphin County on December 5, 1865. He practiced law until his appointment as an additional law judge in the Twelfth Judicial District on March 14, 1899. Upon the death of Judge Simonton, Judge Weiss succeeded as President Judge on February 12, 1903 and served until his death on November 22, 1905.



**Michael W. Jacobs** (1903 – 1904) was born in Gettysburg, Adams County on January 27, 1850.



He was admitted to the Adams County Bar in 1871. Jacobs practiced law in Erie from 1872 to 1874 and then relocated to Harrisburg and was admitted to the Dauphin County Bar on January 4, 1875. He authored A Treatise on the Law of Domicile in 1887. He was appointed to succeed Judge Weiss as additional law judge of the Twelfth Judicial District in March 1903 and only served until January 1904 after losing a very close race to George Kunkel.

**George Kunkel** (1904 – 1920) was born in Harrisburg, Dauphin County on March 11, 1855. He studied law under John W. Simonton and was

admitted to the Dauphin County Bar on September 3, 1878. In 1886, he was elected District Attorney of Dauphin County, a position he held until 1892. Kunkel was elected a Representative in the State Legislature in 1892 and resigned in 1903 to run for judge. In 1903, he was elected judge of the Twelfth Judicial District, winning over incumbent Judge Michael Jacobs in a hard fought race. In November 1905 Judge Kunkel was elevated to the position of President Judge. Judge Kunkel presided over many important state tax cases and administrative affairs effecting state government included in those was the Capitol Graft cases of 1908 in which several defendants were found guilty of conspiracy to defraud the Commonwealth of Pennsylvania. He was reelected in 1913 for a second ten year term and served until his death in June 1920.



**Thomas H. Capp** (1905 – 1907) was born August 15, 1860 in Jonestown, Lebanon County. He was admitted to the Bar of Lebanon County on November 7, 1881. He was appointed by Governor Samuel W. Pennypacker on December 16, 1905, to the Dauphin County Court of Common Pleas, filling the vacancy created by the death of President Judge John W. Weiss. Judge Capp became seriously ill in 1907. Ignoring the advice to give up his work and rest, Judge Capp continued to work and became increasingly ill. Although he pursued treatment in Philadelphia, his last day on the bench was May 13, 1907 and he died July 3, 1907.



**Samuel J. M. McCarrell** (1907 – 1920) was born October 19, 1842 in Buffalo Township, Washington County. He was admitted to the Bar of Dauphin County in 1866 and then practiced at Fleming and McCarrell for fifteen years. He was elected District Attorney of Dauphin County in 1881 and served two terms. In 1892 he was nominated to the state senate and served until 1900. He was president pro tempore from 1895-1897. In 1901 he was appointed U.S. District Attorney for the Middle District of Pennsylvania by President McKinley and reappointed in 1905 by President Theodore Roosevelt, and served until 1907. McCarrell was elected judge of the Twelfth Judicial District October 7, 1907. In June 1920, Judge McCarrell became President Judge upon the death of Judge Kunkel. Judge McCarrell died June 25, 1920, several days after becoming President Judge.



**William M. Hargest** (1920 – 1948) was born in Winchester, Virginia August 5, 1868. He studied law with his father, Thomas S. Hargest, who served as a judge in Virginia during the reconstruction period after the Civil War. After being admitted to the Dauphin County Bar on June 17, 1891, he entered into a partnership with his father. He helped to organize the Dauphin County Bar Association and was president in 1909. He was appointed to the bench June 1920 upon the death of Judge Kunkel and became President Judge June 25, 1920 upon the death of Judge McCarrell. He served as President of the Pennsylvania Bar Association in 1940-41. Judge Hargest served as President Judge until his death on February 16, 1948.



**Frank B. Wickersham** (1920 – 1942) was born in York County on April 7, 1863. He taught school before graduating from Cumberland Valley State Normal School in 1884, and in 1885 he registered as a law student under Senator McCarrell. Frank B. Wickersham was admitted to the Dauphin County Bar in 1888 and practiced in Steelton and Harrisburg. He was a founder of the law firm that is known today as Metzger Wickersham. He served as solicitor for the Borough of Steelton; was elected to two terms in the Pennsylvania State Legislature and served as Assistant District Attorney. On July 13, 1920 he was appointed judge and served until his retirement on January 5, 1942. Judge Wickersham passed away on February 20, 1945.



with Weiss and Gilbert. He was admitted to the Dauphin County Bar in 1888. He was elected to the Pennsylvania Senate in 1900 and served three terms. After the state capitol building burned down, he was instrumental in the fight to maintain Harrisburg as the state capital. He also served as Harrisburg City Solicitor. In 1921, after the passage of the act creating a second additional law judge, John Fox was appointed to the new position. Judge Fox retired in January 1942 and died on August 7, 1942.

**J. Dress Pannell** (1937 – 1938) was born in Steelton, Dauphin County on November 7, 1890. He was admitted to the Dauphin County Bar on November 6, 1916. While in private practice his areas of expertise were election and labor laws. He also served as solicitor for several boroughs in Dauphin County. In May 1937, Pannell, a Democrat, was appointed by Governor George Howard Earl as the first President Judge of the newly created Dauphin County Orphans' Court. Judge Pannell was instrumental in developing rules and procedures for the newly created Orphans' Court. Judge Pannell was defeated in the fall election of 1937 and presided until January 1938. He died on August 23, 1966.



*The Dauphin County Court of Common Pleas, sitting en banc, circa 1938, from left to right: J. Frank B. Wickersham (1920-1942); President J. Williams H. Hargest (1920-1948); J. John E. Fox (1921-1942); and J. Karl E Richards (1938-1961)*

**John E. Fox** (1921 – 1942) was born in Hummelstown, Dauphin County on November 27, 1861. After graduating from Lafayette College in 1885, he moved to Harrisburg where he read the law for two years

**Karl E. Richards** (1938 – 1961) was born in Massillon, Ohio on January 24, 1887. He served as First Assistant District Attorney from 1924 to 1932 and District Attorney from 1932 to 1937. He defeated Judge Pannell in the fall election of 1937 to be President Judge of Orphans'





Court from January 3, 1938 to January 2, 1948. He was re-elected for a second and third term and presided until his retirement in 1961. Judge Richards died in October 1969.

**J. Paul Rupp** (1942 – 1952) was born in Swatara Township, Dauphin County on June 7, 1898. He



served as Treasurer of Dauphin County from 1932 to 1936. He was elected to the Dauphin County Court of Common Pleas in the fall election of 1941. After the death of Judge Hargest in 1948, Judge Rupp became President Judge through a coin toss with

Judge Robert E. Woodside. He served as President Judge until the expiration of his term on January 7, 1952. Judge Rupp passed away in 1957.

**Robert E. Woodside** (1942 – 1951) was born in Millersburg, Dauphin County on June 4, 1904. He was elected for five terms to the Pennsylvania House of Representatives from 1932 to 1942. In the fall election of 1941, he was elected to the Dauphin County Court of Common Pleas for a ten year term. In 1951, he



was appointed by Governor John Fine as Attorney General of Pennsylvania. He resigned in 1953 to accept an appointment to the Superior Court and was elected to a ten year term in 1954. Following his career in public service, Judge Woodside returned to private practice and to teaching law. The former Robert E. Woodside Juvenile Detention Center in Swatara Township was named in his honor. Judge Woodside passed away March 18, 1998.

**Paul G. Smith** (1949 – 1960) was born December 15, 1882. He served as Harrisburg City Solicitor. He was appointed Judge of the Dauphin County Court

of Common Pleas on December 24, 1948 upon the death of Judge Hargest and was elected to a full term on November 8, 1949. He became President Judge on January 7, 1952 upon the resignation of Judge Woodside. Judge Smith died in September 1971.



**William H. Neely** (1949 – 1962) was born February 2, 1896 in Mifflintown, Juniata County. He was admitted to the Dauphin County Bar in July 1922.



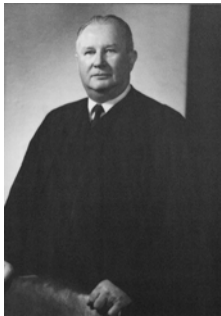
*J. Paul Rupp, President J. William M. Hargest & J. Robert E. Woodside sitting en banc in the Old Dauphin County Court house, circa 1942-43. This photograph was presented on Jan. 20, 2008 by the Hon. Robert Simpson, Judge of the Commonwealth Court & grandson of J. Paul Rupp & is displayed in the Dauphin Co. Courthouse Lawyers' Lounge.*

He was appointed by Governor Gifford Pinchot as Special Deputy Attorney General from 1931 to 1935. He was also appointed by Governor Arthur James to the State Bridge and Tunnel Commission. In April 1949 he was appointed by Governor James Duff to the newly created fourth judgeship for the Dauphin



County Court of Common Pleas. Judge Neely was elected to a full ten year term in November 1949 and was reelected in 1959. Upon his death on August 3, 1962, he was serving as President Judge.

**Walter R. Sohn** (1951 – 1965) was born in Harrisburg, Dauphin County on November 15, 1890. He was admitted to practice in the Courts of Dauphin County on October 15, 1915. He served as an Assistant District Attorney and Solicitor for Dauphin County. On April 2, 1951 he was appointed to the Dauphin County Court of Common Pleas by Governor Fine. He was elected to a ten year term in 1951 and reelected in 1961. Judge Sohn was named President Judge on August 3, 1962 and held that position until the time of his death on May 7, 1965.

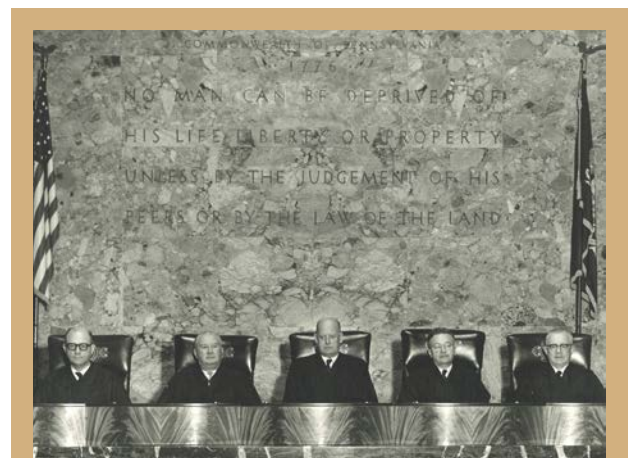
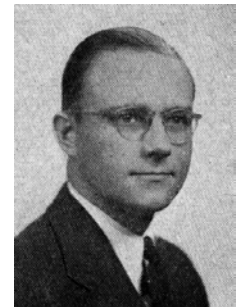


**Homer L. Kreider** (1952 – 1972) was born April 14, 1898 in Avon, Pennsylvania. He taught history and political science at Norristown High School (1922) and business law at Beckley Business College (1924-1930). He testified before the U.S. Senate Judiciary Subcommittee on criminal laws and procedures concerning bills subsequently incorporated in the Omnibus Crime Control and Safe Streets Act of 1968. He was elected to the Dauphin County Court of Common Pleas in 1951 and reelected in 1961. Judge Kreider became President Judge May 14, 1965 and retired in 1972. Upon his retirement, Judge Kreider received special appointments by the Supreme Court of Pennsylvania to specially preside in trials in fifteen counties. Judge Kreider died December 23, 1988.



**J. Douglas M. Royal** (1957 – 1958) was a graduate of Williams College Williamstown, Massachusetts. He was appointed by Governor Leader to fill the newly created fifth judiciary seat on the Dauphin County Court of Common Pleas on April 10, 1957. He presided until R. Dixon Herman was elected and sworn in on January 6, 1958.

**R. Dixon Herman** (1958 – 1970) was born in Northumberland County on September 24, 1911. He served as Assistant District Attorney for Dauphin County from 1942 to 1944, in the Pennsylvania State Legislature from 1948 to 1950 and as Dauphin County Solicitor from 1950 to 1957. He was elected to the Dauphin County Court of Common Pleas in 1957 and re-elected in 1967. Judge Herman presided until 1970 at which time he was appointed by President Nixon to the United States District Court, Middle District of Pennsylvania. Judge Herman assumed



*Sitting from left to right: J. R. Dixon Herman; J. Walter R. Sohn; J. James S. Bowman; J. Homer L. Kreider and J. Carl B. Shelley.*

senior status in 1981 and continued in that capacity until his death on April 5, 1990.

**Carl B. Shelley** (1960 – 1970) was born October 23, 1893 in Steelton, Dauphin County. During World War I he served with the French Army and was awarded three Croix de Guerre medals. He served as District Attorney for Dauphin County for four terms from 1937 to 1952. He was elected to the Dauphin County Court of Common Pleas in 1959 and served until 1970. Judge Shelley passed away in November 1972.



**Lee F. Swope** (1961 – 1991) was born in Harrisburg, Dauphin County on February 9, 1921. He served as an Assistant Attorney General in 1955; assistant director and director of the Pennsylvania Bureau of Corporations, Department of State 1956 to 1960; and a member of the Pennsylvania Board of Finance and Revenue 1955 to 1960.



Lee F. Swope was appointed Judge of the Dauphin County Court of Common Pleas on January 1, 1961 where he presided over the Orphans' Court. He was elected to a full term in the fall of 1961 and reelected in 1971 and 1981. He was the first Democrat ever to serve on the Court. Judge Swope served as President Judge from 1972 until his retirement in 1991. Judge Swope also sat as a member of the Commonwealth Court. Many will remember his judicial secretary Miss Joyce Bordlemay. Judge Swope died on January 10, 2003.

**G. Thomas Miller** (1962 – 1964) was born in Gettysburg, Adams County. He was admitted to the Dauphin County Bar in 1950 and prior to his admission he clerked for Judge Robert E. Woodside.

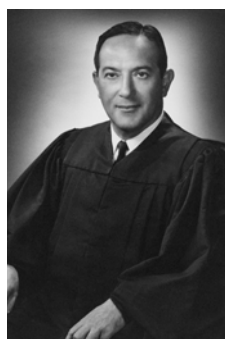


He served for several years as Assistant District Attorney; nine years as editor of the Dauphin County Reporter; and three years as Director of the Dauphin County Bar Association. In 1962, he was appointed interim Judge of the Dauphin County Court of Common Pleas and presided until 1964. The Miller Center for Public Interest Advocacy was established at the Dickinson School of Law in his honor by his children. Judge Miller continued to practice until his death on July 3, 2013.

**James S. Bowman** (1964 – 1970) was born in Harrisburg, Dauphin County on June 20, 1918. He served as special counsel to the Legislative Reference Bureau from 1943 to 1949 and Assistant City Solicitor of Harrisburg from 1949 to 1963. He was also a member of the Pennsylvania House of Representatives from 1957 to 1963. He was elected to the Dauphin County Court of Common Pleas in November 1963 and served until 1970. In 1970, Judge Bowman was appointed as President Judge to the newly created Commonwealth Court. He served as President Judge to the Commonwealth Court until his death in February 1980.

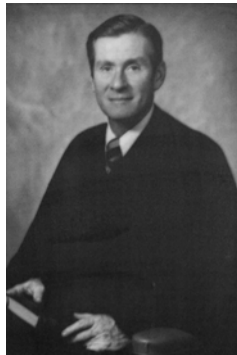


**William W. Lipsitt** (1965 – 1986) was born in Harrisburg, Dauphin County on August 2, 1916. After graduating from Harvard School of Law in 1941, he served in the United States Army in World War II and the Korean War. He was a member of the law firms of Shelley, Reynolds and Lipsitt, later Reynolds and Lipsitt, and



former Solicitor for the Sheriff of Dauphin County. In June 1965, he was appointed by Governor William Scranton as judge of the Dauphin County Court of Common Pleas. In November 1965, he was elected to a full ten-year term and was reelected in November 1975. In 1986, Judge Lipsitt retired and served as a senior judge until he left judicial service in December 2002. He had a wonderful sense of humor with a unique unmistakable laugh. Judge Lipsitt returned to private practice and co-founded the firm Miller Lipsitt. Judge Lipsitt passed away on August 1, 2009.

**William W. Caldwell** (1970 – 1982) was born in Harrisburg, Dauphin County on November 10, 1925. He graduated from Dickinson School of Law in 1951 and was in private practice until 1970. He also served as a part-time First Assistant District Attorney from 1960-1962. Caldwell was elected to the Dauphin County Court of Common Pleas in November 1969 and served until 1982. On February 19, 1982, Judge Caldwell was nominated by President Ronald Reagan to the United States Middle District Court of Pennsylvania. Judge Caldwell assumed senior status on May 31, 1994 and continues to serve full time in this capacity.

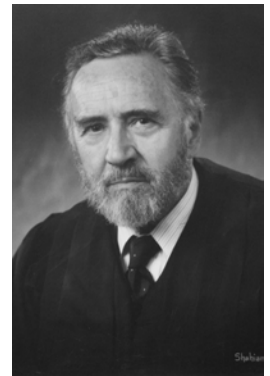


**Warren G. Morgan** (1970 – 1993) was born in Wilkes-Barre, Luzerne County on December 3, 1923. His college education was interrupted to serve in the U.S. Navy during World War II from 1943 to 1946. He served in the following capacities: Counsel to the Senate Majority Leader; Counsel to the Legislative Reference Bureau; associate at Shelley, Reynolds,



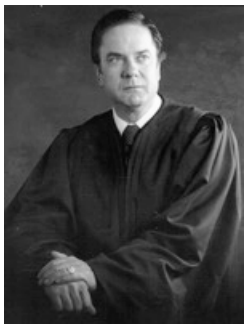
and Lipsitt; partner at Morgan and Roth; Deputy Attorney General; and Chief Counsel to the Department of Education. In December 1970, he was appointed to the Dauphin County Court of Common Pleas and was then elected to a ten year term in November 1971. Judge Morgan was reelected in November 1981 and November 1991. He was appointed President Judge in February 1991 and retired in December 1993. Judge Morgan served as a Senior Judge until 2003 including as a visiting Senior Judge on the Commonwealth Court. He will always be remembered for his gentlemanly judicial demeanor and his beautiful oratorical and eloquent writing abilities.

**John C. Dowling** (1970 – 1993) was born September 3, 1923 in Harrisburg. He graduated from the University of Pittsburgh and Dickinson School of Law. His university studies were interrupted by the Second World War. He served as a Sergeant in the U.S. Army in Belgium, France and Germany between 1942 and December 1945, including the D-Day Invasion and Battle of the Bulge. He was an attorney for USF&G Insurance Company and in 1965 partnered with his uncle, Huette Dowling, in the law firm of Dowling & Dowling. In 1970 he was appointed to the Dauphin County bench by Governor Raymond Shafer. He was elected to the bench in 1971 and served for 23 years. In 1979, he was designated by the Chief Justice of the Supreme Court to preside specially on the Superior Court of Pennsylvania, and in 1981 was selected by the Chief Justice to act as the Supervising Judge for the Statewide Investigating Grand Jury. He was also a member of the Supreme Court Committee in Probation and Parole. During his judicial career, he was well known for his colorful legal opinions, in



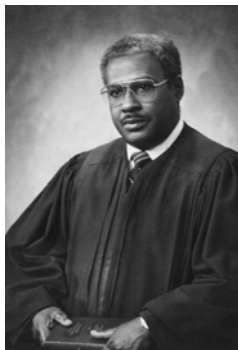
which he often quoted Shakespeare. He retired in 2002 and practiced with the firm of Rhoads & Sinon. He died on September 17, 2007. His son Andrew is currently a Dauphin County Judge, elected in 2009.

**Richard B. Wickersham** (1972 – 1980) was born in Pittsburgh, Allegheny County on April 4, 1929. He was the grandson of the late Dauphin County Judge Frank B. Wickersham. After graduating from law school, he served with the United States Army and was a member of the Judge Advocate General Corps while serving with the Army Reserves. He was an Assistant District Attorney in Dauphin



County from 1956 to 1960 and was also a member of the Metzger Wickersham law firm. He was elected to the Dauphin County Court of Common Pleas in 1971. After serving for eight years, Judge Wickersham was elected to the Superior Court of Pennsylvania. After leaving the bench in 1987, Judge Wickersham returned to private practice. Judge Wickersham passed away on April 30, 2008.

**Clarence C. Morrison** (1980 – 2000) was born February 17, 1930 in Charleston, South Carolina. After serving in the U.S. Army as a second lieutenant and graduating from Howard University School of Law in 1959, Judge Morrison moved his family to Harrisburg to start his legal career. He started as a law clerk for Judge Shelly and continued with the Auditor General's Office; PA Department of Revenue; PA State Education Association, and served as Assistant District Attorney for Dauphin County. Clarence Morrison also practiced in the law firm



Morrison and Atkins. In 1980 he was appointed to the Dauphin County Court of Common Pleas by Governor Richard Thornburgh. Judge Morrison was elected in November 1981 and retained in 1991. He was the first African-American elected to this Bench. He served as President Judge from 1993 until his retirement in February 2000, and continued to serve as a Senior Judge until 2005. The largest neighborhood park in Harrisburg, near Cameron and Herr Streets; and a Harrisburg senior housing tower at Chestnut and Mulberry Street were both named in his honor. Judge Morrison passed away on November 22, 2012.

**Herbert A. Schaffner** (1984 – 1992) was born July 22, 1934 in Hershey, Dauphin County. He was a jet pilot in the United States Air Force from 1956 to 1959 and a Captain in the Pennsylvania Army National



Guard 28th Division Senior Army Aviator from 1963 to 1968. He was a partner in the law firm Reynolds, Bihl and Schaffner. Herbert Schaffner was elected to the Dauphin County Court of Common Pleas and served from 1984 to 1992. He is remembered for his judicial demeanor, intellect and collegial personality. Judge Schaffner died on October 10, 1992. The Herbert A. Schaffner Youth Center and a Hummelstown park were both named in his honor.

**Sebastian D. Natale** (1986 – 1994) was born October 17, 1924 in Fossacesia, Abruzzo, Italy and immigrated to the United States in 1929. He spent most of his childhood in an orphanage. Between high school and college, he served in the U.S. Army Air Corps during World War II from 1943 until 1945 and received the Asiatic Pacific Campaign Medal with eight Bronze Stars. In 1955 he graduated from the Catholic University of America School of Law and

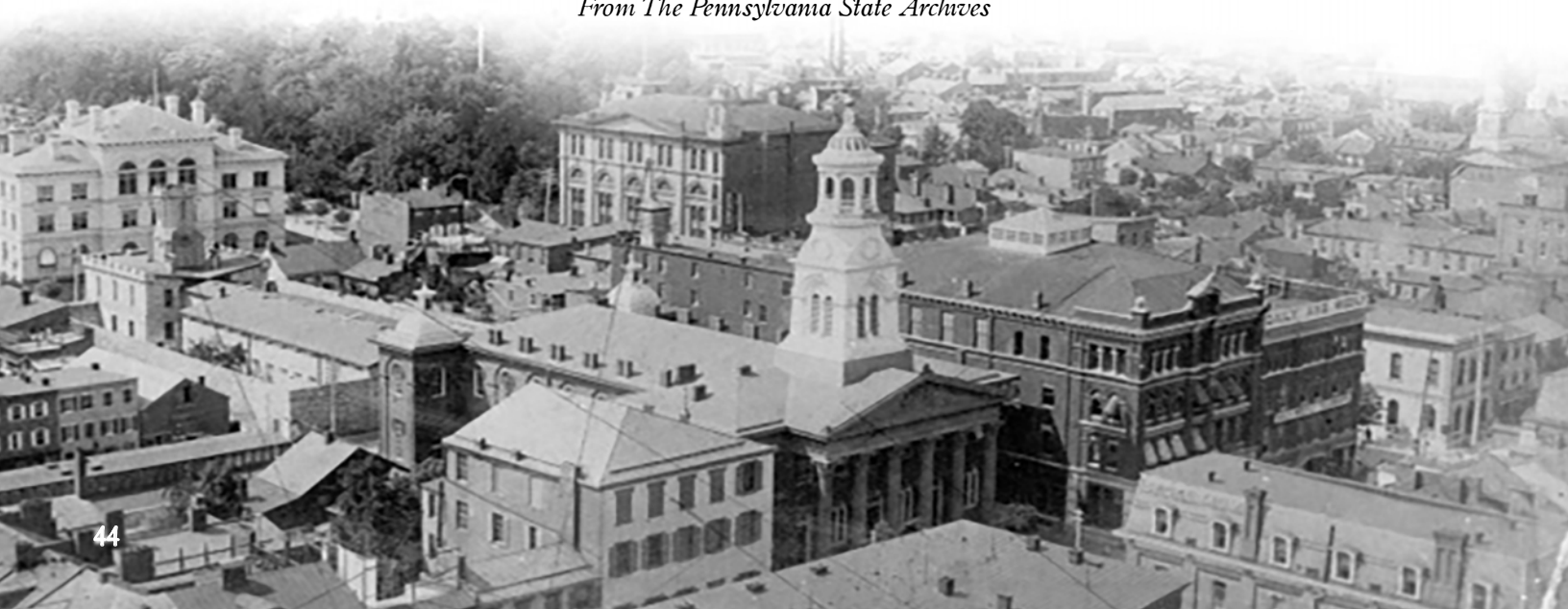
celebrated by walking from Washington D.C. to Harrisburg. He entered into private practice, and also was a Public Defender for Dauphin County and the Middle District of Pennsylvania. He also served as the U.S. Commissioner for the Middle District Court of Pennsylvania. Judge Natale began his quest for a seat on the court in 1969 and finally was elected to the Dauphin County Court of Common Pleas in 1985. He served until 1994 when he reached the mandatory retirement age. His common sense approach in evaluating cases and his fairness to every litigant earned him respect by all who appeared before him. He was grateful for all the opportunity America provided him and never forgot his humble origins. He wrote an autobiography entitled *From Ellis Island to the Bench*. Judge Natale passed away on November 13, 2002.



**Joseph H. Kleinfelter** (1992 – 2009) was born on March 3, 1939 in Harrisburg, Dauphin County. After graduating from Dickinson School of Law he served as a law clerk to Judge G. Thomas Miller and Judge Homer L. Kreider. He served in the United States Army Reserves. He was a full time prosecutor in York and Dauphin County District Attorney's Offices for sixteen years. In November 1991, he was elected to the Dauphin County Court of Common Pleas and was retained in November 2001. Judge Kleinfelter served as President Judge from February 2000 to February 2005. He retired in 2009 and assumed Senior Judge Status. Judge Kleinfelter was one of the courts most prolific writers, known for his erudite opinions and cigars. Judge Kleinfelter passed away on August 9, 2011.



*1886 Harrisburg Featuring the  
Dauphin Co. Courthouse & Prison  
From The Pennsylvania State Archives*



## Cases Before the Court

William M. Hargest, who was appointed to the Dauphin County Court in 1920 and became President Judge that same year, was the author of the chapter on Dauphin County in a two volume work published in 1903, entitled *The Twentieth Century Bench and Bar in Pennsylvania*. Then attorney Hargest offered this insight into the earliest cases heard by the Dauphin County Court:

*"The first entry in the Common Pleas, No. 1 May term, 1785, was John Bickle vs Nicholas Gebhart, in which Peter Hoofnagle appeared for the defendant and confessed judgment against him, upon which a firri facias was issued the same day. There was one other entry on the opening day. Fourteen entries in the appearance docket, all being confessions of judgments, in all of which executions were issued, and in two capiases ad satisfaciendum, constituted the business of the first term of the Common Pleas.*

*Curiosity as to the nature of the first case tried and when it was tried, cannot be gratified, because the record can not be found. In the first appearance dockets the record ends with "Rule for Trial," and the balance of the record was kept in a trial docket and in the court minutes the first books of which, after diligent search, were not found.*

*The first case which appears to have been decided by the Supreme Court from Dauphin County was Bradley vs. Bradley, an ejectment, decided at January Term, 1792, reported in 4th Dallas 112.*

*In the Quarter Sessions the record is not so meager. James Cowden was made foreman of the first Grand Jury of twenty members. The first case docketed is that against George Foulke, "Larceny in Stealing a Roan Mare." The defendant did not appear, and his bail was forfeited.*

*The first trial in the quarter sessions was*

*Respublica vs. William Courtney, Jessie Rowland and James Lackey, in the August term 1785 (August 18th), for the larceny of a blanket. Courtney and Lackey pleaded guilty, and Rowland was tried and acquitted. The sentence upon Courtney and Lackey was that they be whipped this 18th day of August instant, between the hours of four and six in the afternoon with fifteen lashes each, that each of them pay a fine of fifteen shillings, make restitution of the goods stolen, pay the costs of the prosecution and stand committed until this judgment be complied with." The sentence quoted shows with what particularity and exactness the first prothonotary and clerk of the Quarter Sessions kept his record.*

*The first charge and trial for murder was of one Susannah Spees, in March term, 1798, which resulted in an acquittal. There was a trial and conviction of "blasphemy" on 11th of September, 1799, and at the June sessions George Fisher, Esquire, a member of the bar, was charged with, pleaded guilty to, and was sentenced to a fine of 3 pounds and costs for assault and battery."*

Located at the seat of the State Government, the Dauphin County Court beginning as early as 1811 served as the tribunal of first resort for civil cases in which the Commonwealth or its Officers were defendants. The Dauphin County Court's role in this capacity expanded and continued until the creation of the Commonwealth Court under the 1970 amendments to the Pennsylvania Constitution. As a consequence the Court through the years ruled on many significant cases involving important public questions under the State Constitution and the laws of the Commonwealth.

Historically, two of the more widely reported cases were known as the Riot Bribery Case, and the Capital Graft Cases. The first involved the bribery of members of the legislature to vote for an act to authorize the appointment of a commission to ascertain and adjust losses caused by the riots of

1877 and to make an appropriation to pay for those losses. The Capital Graft cases in 1908 involved a number of charges of conspiracy against state officers, contractors and the architect engaged in building the state Capitol building after the first Capitol building was destroyed by fire in 1897.

Likewise, the widely reported Credit Mobilier cases, at least six of which reached the Supreme Court of the United States from various parts of the country, had their inception in Dauphin County. The Credit Mobilier of America was a construction company organized somewhat according to the plan of Society General du Credit de Mobilier in France to take over the construction of the Union Pacific Railroad. It was charged that Oakes Ames, the leading spirit of the organization, had distributed 30,000 shares of the stock to members of Congress and others, and when the bubble burst and the corporation was dissolved, many persons, some innocently, were hurt. The case in Dauphin County reported in 67 Pa. 233 involved a tax on the capital stock of the concern.

There have been numerous other important cases decided by the Dauphin County Court of Common Pleas including important tax cases, serious questions under the state constitution as well as interpretation of state laws and regulations and political corruption cases. It is not possible to fairly summarize those cases in a brief summary of this nature.

## Diversity on the Dauphin County Bench

**T**he first and to date only African-American to serve on the Dauphin County Court was Clarence C. Morrison. He was Dauphin County's first African-American law clerk and assistant district attorney. Judge Morrison was appointed to the Court by Governor Richard Thornburgh in 1980 and elected to a full term on the Court in 1981.

He won a retention election in 1991. He served as President Judge from 1993 until his retirement in 2000, then as a Senior Judge until 2005. It must be understood that the Bar was highly exclusionary when Morrison came to Dauphin County in 1959 – only a single African-American lawyer could be admitted to active practice –and his entire legal career was positioned on the leading edge of change.

In 1991, Jeannine Turgeon became the first woman elected to serve on the Dauphin County Court of Common Pleas. Judge Turgeon stood for retention in elections in 2001 and 2011 when she was retained for two more ten-year terms on the Court. In 2009, Deborah E. Curcillo became the second woman to be elected to serve on the Dauphin County Court of Common Pleas.





## *The Dauphin County Bar*

**A**t the first session of the Court of Common Pleas on May 17th, 1785, Stephen Chambers, on his own motion, became the first lawyer admitted to practice in Dauphin County. That day, twelve others were admitted to practice before the Court. They included: John Wilkes Kittera, John Clark, Joseph Hubley, John Andre Hanna, James Riddle, John Joseph Henry, Peter Huffnagle, Jacob Hubley, James Biddle, Collinson Reed, George Ross and John Reily. Only John Andre Hanna, of those first thirteen admitted to practice before the Court was a resident of Dauphin County. At the same Court session Stephen Chambers moved for adoption of a "Rule" of Court governing the admission of attorneys. The "Rule" that was adopted was the same rule as the one previously adopted in Lancaster County. In 1786 William Graydon, Charles Smith, James Smith (a signer of the Declaration of Independence), James Hamilton and William R. Atlee joined the ranks of those admitted to practice in Dauphin County and by 1790 a total of 41 lawyers had been admitted to practice before the Court.

A poem first published in the Freeman's Journal of March 4, 1789 provides an interesting and humorous insight into the spirit and intellect of the times. The satirical verse was authored by a lawyer from Lancaster "who could not attend the Dauphin County Court" and sent to his friend, a lawyer in Harrisburg. The names of those mentioned can be identified with the names of those first admitted to practice before the court.

*At Dauphin Court, tho' fond of sport  
The prospect is so barren,  
I can't attend my dearest friend  
Where there's more crow than  
carrion.*

*There's Wilkes and*

*Andre, John and Joe, And Peter,  
too, so pliant  
If you but flinch, and stir an inch,  
They're sure to nab your client.*

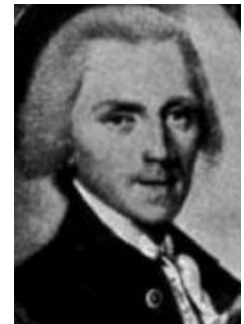
*There's Father Smith, and Brother  
Yeates, And little Tom and Stephen,  
When one sits down, the other  
prates And so they both are even.  
With hooks and crooks and dusty  
books, Whilst candles wate in  
sockets,*

*The court perplex and juries vex,  
And pick their clients pockets.  
When court is out, away they scout,  
Sworn enemies to quiet,  
Drink wine at Crabs, Kiss dirty  
drabs, And spend the night in riot.*

William Egle in his History and Genealogical identifies each of the parties named in the verse. The rich historical heritage of Dauphin County is clearly



*Captain John Reily  
Portrait recently  
donated to Dauphin  
County Historical  
Association by  
Louise Reily Kunkel*



*John Wilkes Kittera*

underscored in the biographical detail provided by Egle for each of those identified. Highlights include: “Wilkes,” John Wilkes Kittera, a member of the United States Congress from 1791 until 1801; “Andre” - John Andre Hanna also a member of Congress from 1797 until 1805; “John,” Captain John Reily, seriously wounded in the Revolutionary War and later the author of a Compendium for Pennsylvania Justices of the Peace, published in Harrisburg in 1795 and the first work of its kind in America; “Joe,” most likely John Joseph Henry, the author of Expedition to Quebec,” a book recounting his service as a volunteer in Capt. Matthew Smith’s company from Paxtang”, which accompanied Benedict Arnold’s expedition to Quebec in 1775; “Peter,” Peter Huffnagle, also a veteran of the Revolutionary War; “Father Smith,” James Smith, of York, a signer of the Declaration of Independence; “Brother Yeates,” Joseph Yeates, a delegate to the Constitutional Convention of 1787 that ratified the Constitution of the United States, and subsequently appointed to the Pennsylvania Supreme Court ; “Little Tom,” Thomas Duncan, appointed to the Pennsylvania Supreme Court in 1817. The last name mentioned “Stephen,” Stephen Chambers, the first lawyer admitted to the Dauphin County Bar, was also a Delegate to The Constitutional Convention of 1787. Interestingly, following a provocation in a tavern, Chambers was fatally wounded in a duel on May 12th and died on May 17th, 1789. Crabs is a reference to a tavern, one of many in Harrisburg, at the time operated by William Crabbs.



The first person born in Dauphin County to be admitted to the Bar is reported to have been George Fisher. Fisher also made his mark on Dauphin

County legal history by pleading guilty to a charge of assault and battery during the June 1795 session of the Court. There is apparently no further record of Fisher’s offense. History also records that when the Revolutionary War hero General Lafayette visited Harrisburg in 1825, Fisher made the welcoming address.



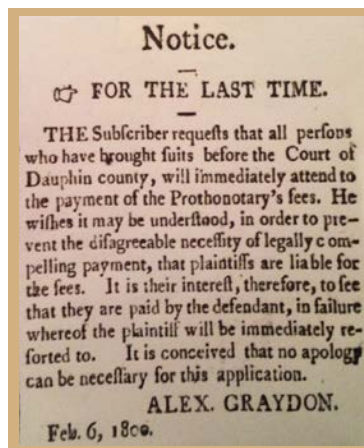
*Alexander Graydon*  
Artist: Robert Feke

Alexander Graydon, mentioned earlier, served as Prothonotary of Dauphin County from 1785 until 1800 and was admitted to the Dauphin County Bar in March of 1800. His brother William Graydon was admitted to practice in Dauphin County in 1786. William Graydon was



*William Graydon*

the author of a two volume treatise on Forms of Conveyancing published in Harrisburg in 1810 and 1811 and a work entitled The Justices and Constables Assistant, published in Harrisburg in 1805. He was also the editor of a substantial work entitled An Abridgment of the Laws of the United States,



*Pictured is a Notice from Alexander Graydon, the first Prothonotary of the Dauphin County Court of Common Pleas, asking members of the Bar attend to payment of their filing fees. This notice was published in the February 17, 1800 edition of the Oracle of Dauphin.*

published in Harrisburg in 1802.

Interestingly, several other early treatises on the law and guides to law practice were published in Harrisburg during this early period. A book entitled *A Collection of Precedents and Extracts, Relative to the Offices of Sheriff, Coroner, Jailor, Clerks of the Court, Register and Recorder, Constable Etc* included among other topics the Rules adopted by the “several Courts of Common Pleas and Quarter Sessions of the State of Pennsylvania.” The author Anthony Seyfert, while not a member of the Bar,

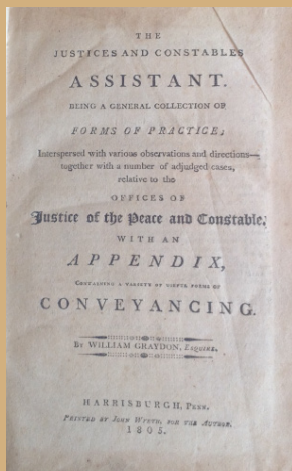
served as the Coroner of Dauphin County from 1794 to 1795. An advertisement for Seyfert’s book appears in the December 28, 1801 edition of the *Oracle of Dauphin*. In his *Queries Historical and Genealogical* of 1887, William Egle reports that both the *Compendium for Pennsylvania Justices of the Peace* published by John Riley in 1795, and Seyfert’s book published in 1801 are very rare. Regrettably, searches of all available online resources and consultations with the State law library and other libraries, have proven unsuccessful in locating copies of either book. Both books were apparently published in Harrisburg by John Wyeth, the publisher of the *Oracle of Harrisburg*.

George Washington Harris, the grandson of John Harris, Jr., was admitted to the Dauphin County Bar in 1820. During his career he served as a reporter for the Pennsylvania Supreme Court and in 1871 he authored and presented to the Dauphin County Historical Society a reminiscence entitled *President Judges of the Dauphin County Court*. In similar fashion he authored an article entitled *Reminiscences of Various Members of the Bar of Dauphin County*, presented to the Dauphin County Historical Society in 1873. Both of these “reminiscences” can be found online and offer many interesting insights into the judges and lawyers of the times.

In his *Reminiscences of the Bar*, Harris references a work entitled *Read’s Precedents* by Collinson Read, one of the lawyers admitted to the Dauphin County Bar in 1785. Collinson’s book, *Precedents in the Office of a Justice of Peace: to which is added, a short system of conveyancing, in a method entirely new: with an appendix, containing a variety of the most useful forms*, was published in Harrisburg in 1801 and can be found in electronic format online.

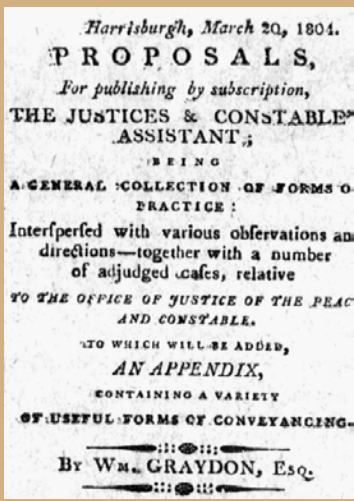
John Bannister Gibson, admitted to the Dauphin County Bar in 1807, became Chief Justice of the Pennsylvania Supreme Court. James Buchanan, admitted to the Bar in 1812, became the 15th

### The Justices and Constable’s Assistant Being a General Collection of Forms of Practice



*A practical guide to law practice by William Graydon, a Harrisburg lawyer admitted to the Dauphin County Bar in 1786. The book, published in Harrisburg in 1805 by John Wyeth, the publisher of the Oracle of Dauphin, was advertised for sale in that newspaper.*

*Pictured is a copy of the title page of the book and a copy of the advertisement that appeared in the March 20, 1804 edition of the Oracle of Dauphin.*



President of the United States. George B. Porter, admitted to the Bar in 1813, became Governor of Michigan. Francis R. Shunk, admitted to the Bar in 1816, became Governor of Pennsylvania. Alexander Ramsey, admitted to the Bar in 1839, became Governor of Minnesota.

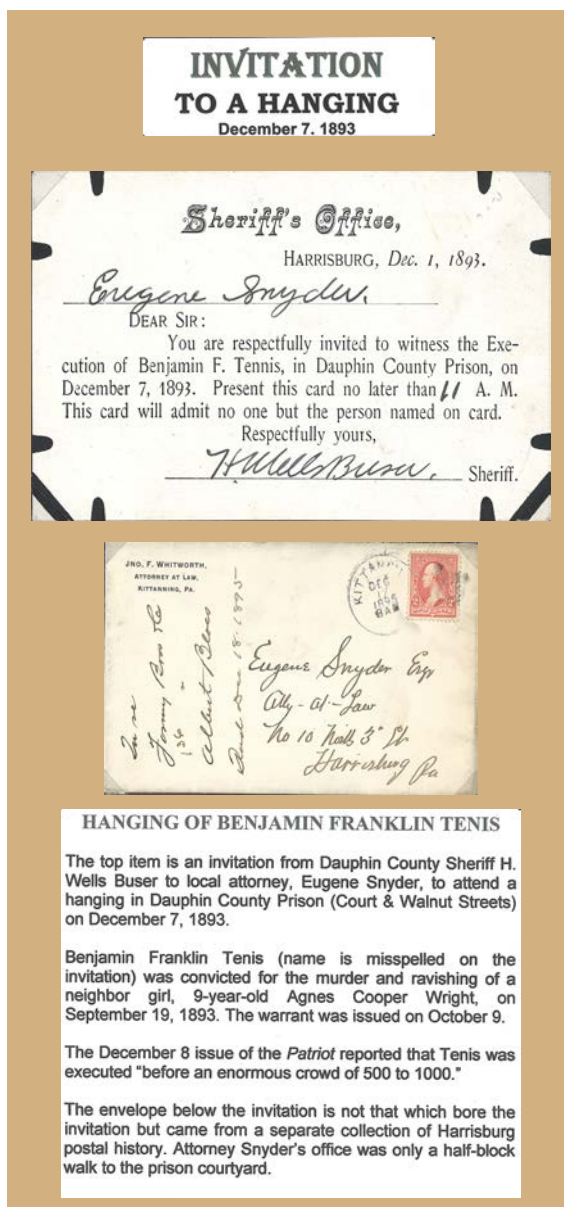
The Harrisburg City Directory for 1839 lists 23 lawyers with an office address within the city. By 1866 the city directory lists 33 lawyers and by 1871 the directory includes 41 lawyers. On June 17, 1898 the Dauphin County Court of Common Pleas approved the charter of the Dauphin County Bar Association. At that time there were 93 attorneys in active practice in Dauphin County.

In a front page article on January 19th, 1925 a Harrisburg newspaper, The Evening News, reported on the life of Eugene Snyder as he was completing his 65th year as a member of the Dauphin County Bar. An article in the Harrisburg Telegraph on August 8, 1927 reporting on his death that morning, observed that:

*Mr. Snyder was the only member of the bar living in recent years who practiced in the old courthouse. For years he engaged actively in practice appearing in all the courts of the county ... He saw Harrisburg develop from a small town with mud streets to a modern city with more than 100 miles of paved highway' from a small trading center to a large manufacturing and mercantile community.*

In addition to his 67 years as a practicing attorney, Eugene Snyder also held the distinction of being the first lawyer in Dauphin or Lebanon County to obtain his legal education in a law school. While many of the lawyers and judges who preceded him had attended college they all received their legal training in an experienced lawyer's office as was the custom in those times. Attorney Snyder graduated in 1856 from Dickinson Seminary in Williamsport and completed his law school study in 1860 at the Dane Law School, as Harvard Law

School was known at the time. Immediately after completing law school Snyder sat for "examination"



for admission to the Dauphin and Lebanon County Bar. In 1860 Dauphin County and Lebanon counties formed one Judicial District and the judges of Dauphin County also sat in Lebanon County.

Snyder's examiners on the evening of January 18, 1860 were John C. Kunkel, Robert A. Lumberton and Robert L. Muench. Judge John A. Pearson, the President Judge, is also reported to have been in attendance. After a long evening of interrogation

the examiners were sufficiently satisfied with Snyder's knowledge and ability to approve his admission. He was admitted to the Bar on motion the next morning. Snyder practiced in the first permanent courthouse built between 1792 and 1799 and before it was demolished in the fall of 1860 to make way for construction of a new courthouse. In addition to Judge Pearson, over his many years of practice Snyder appeared before Judges Robert M. Henderson, John W. Simonton, John B. McPherson, John H. Weiss, George Kunkel, Thomas H. Cupp, Samuel J.M. McCarrell, Michael W. Jacobs, Sr., William M. Hargest, Frank B. Wickersham and John E. Fox.

The day book that Attorney Snyder maintained from 1870 until 1919 is in the collection of the Daniel R. Coquillette Rare Book Room in the Boston College Law Library. That collection focuses on the activities of working lawyers and their day to day lives as legal professionals.

Eugene Snyder was born in 1836 in a house at 10 North Third Street in Harrisburg, where he lived and later in life practiced law until his death in 1927. He served in the Civil War and was a charter member of Dauphin County Bar Association.

Today there are over 2,400 lawyers in Dauphin County registered with the Pennsylvania Supreme Court. This number includes lawyers in private practice, lawyers working for businesses, nonprofit organizations and many employed by the State and Federal government. The Dauphin County Bar Association is a voluntary association with over 1,400 members today.

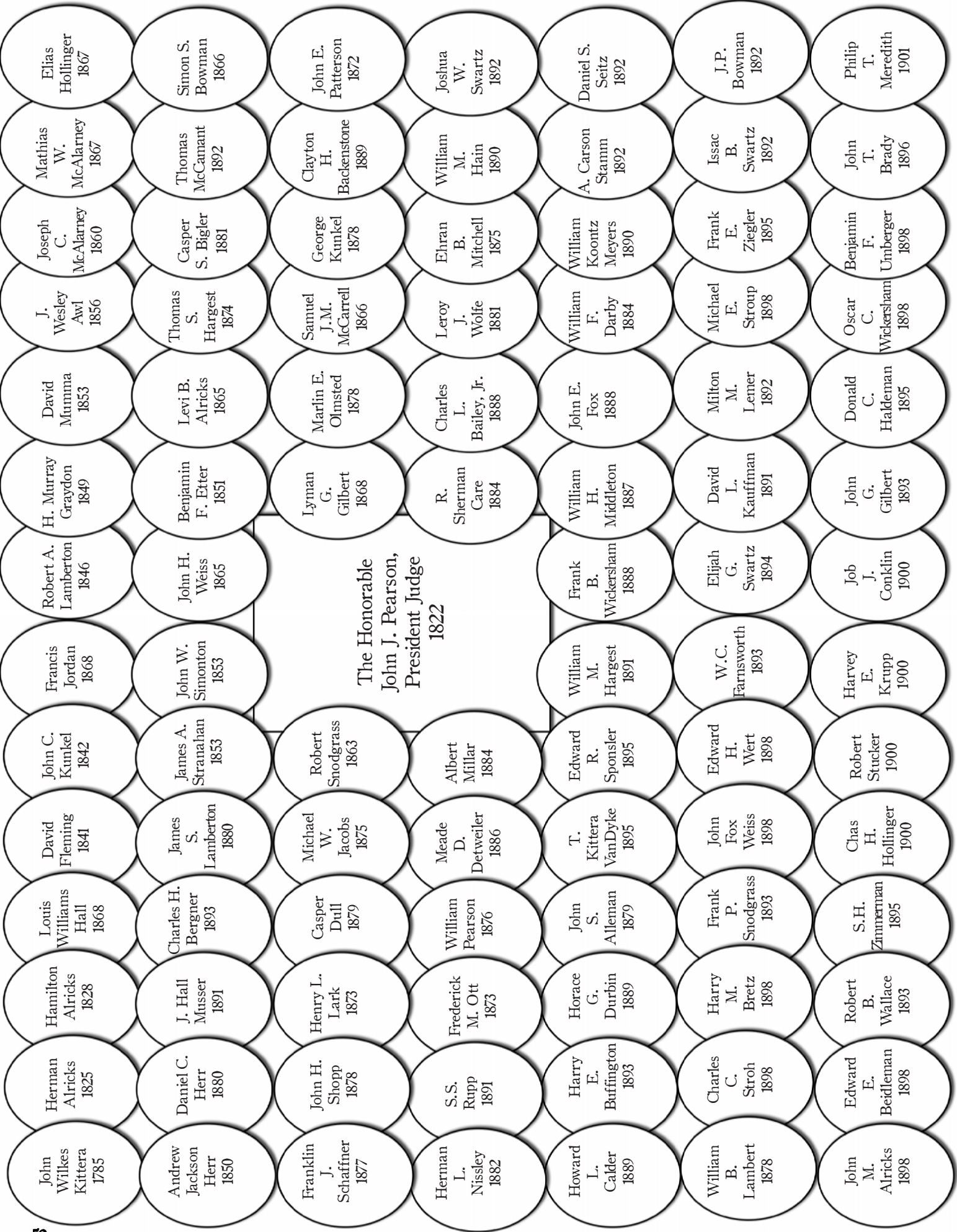
## Diversity in the Profession

Through the eighteenth, nineteenth and well into the early twentieth century the practice of law in Pennsylvania, and for that matter throughout the United States, was largely a profession dominated by white males. The struggles and

courage demonstrated by minority lawyers to gain admission to the Bar and to practice law in Dauphin County is documented in Don Sarvey's History of Law and Lawyers in Dauphin County. Of note from Sarvey's history is the fact that the first African-American to practice before the Dauphin County Court was Thomas Morris Chester. As Sarvey details in a full chapter on Chester's life, he was a remarkably accomplished lawyer. Chester was the first African-American admitted to the English Bar in 1870 after three years of study at the Middle Temple Inn of Court in London. Chester was admitted to the Supreme Court of Pennsylvania in June of 1881 and made his first appearance in a Dauphin County courtroom in 1882. "The first African-American attorney to engage in regular and continuous practice in the (Dauphin) County 'was probably' William Justin Carter, Sr." Carter was born in Richmond, Virginia in 1866 and was already a member of the Virginia bar when he arrived in Harrisburg in 1894. Martindale-Hubbell listed Carter as a lawyer in Harrisburg in 1900 where he practiced for 53 years. Carter's long and distinguished career is also detailed in Sarvey's history of the Dauphin Bar.

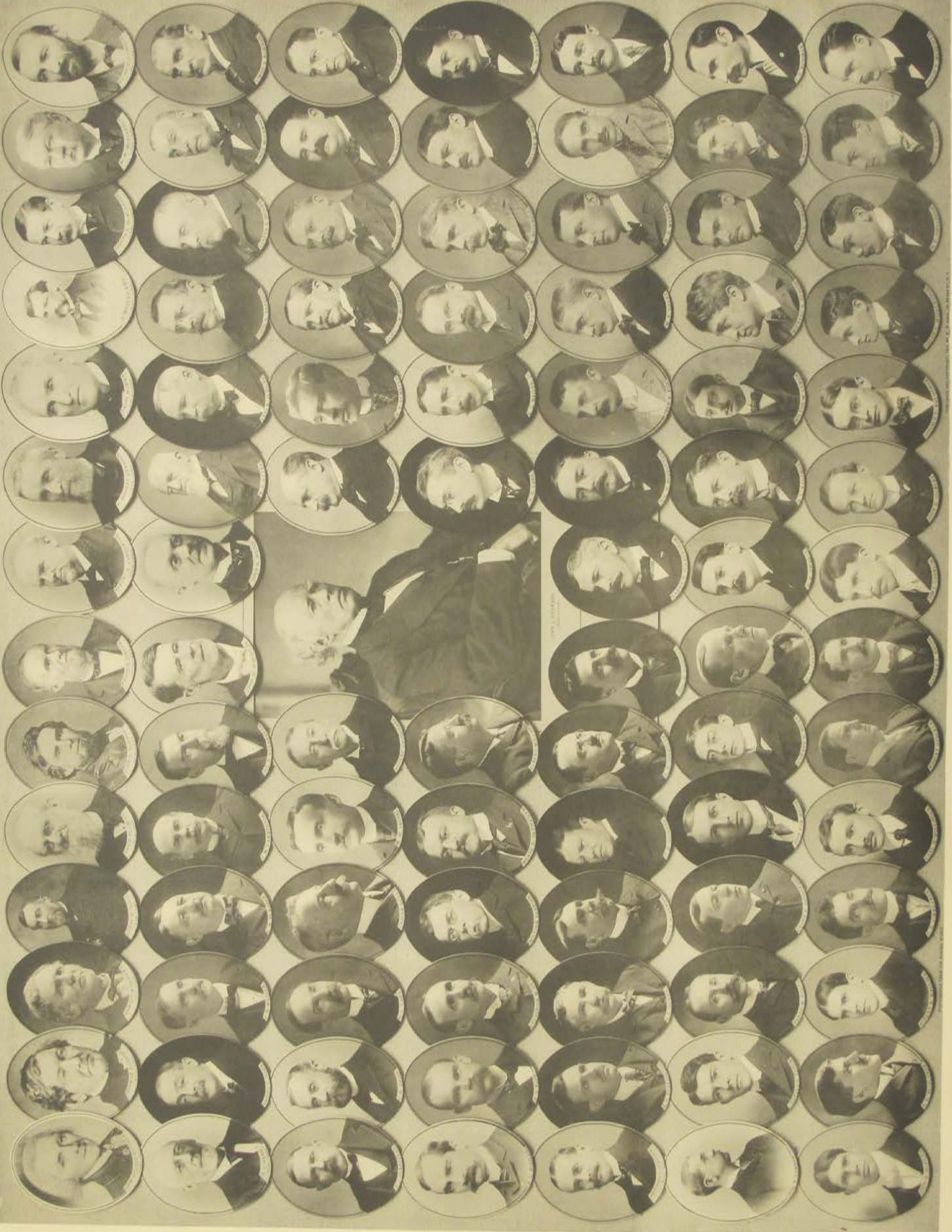
Today women comprise a substantial number of the lawyers in Dauphin County. This was far from the case a relatively few years ago not only in Dauphin County but also statewide and throughout the nation. In his book Don Sarvey reports that the first woman to be admitted to the Dauphin County Bar was Dorothy Vaughn McCormick, later Dorothy Vaughn McCormick Powell, but there is apparently disagreement as to whether McCormick was admitted in 1919 or 1920. McCormick, like many who followed her, faced challenges in establishing a practice in a male dominated profession. In 1920 McCormick moved to Virginia and practiced there for a number of years. The progress made by women in seeking admission to the Dauphin Bar and establishing legal careers from the 1920's through

This chart identifies each lawyer pictured & indicates the year of their admission to the Bar.



The Honorable  
John J. Pearson,  
President Judge  
1822

This composite print produced in 1903, depicts some of the members of the Dauphin County Bar between 1785 & 1903.



BENCH AND BAR OF DAUPHIN COUNTY, PA., 1902.

the early 1970's, and the significant hurdles they had to overcome, is recounted in Sarvey's History of the Law and Lawyers in Dauphin County.

The Dauphin County Bar Association, while originally an exclusive and closely-knit organization of lawyers in private practice, is very different today. The Association actively welcomes all lawyers to its ranks and actively promotes diversity in the legal profession through its ongoing efforts to support and sustain diversity in all aspects of the legal system. In 1996 Karen M. Balaban served as the first woman President of the Dauphin County Bar Association and, in 2001, Samuel T. Cooper, III, was the first African-American to hold the post of President of the Association. The Keystone Bar Association, a nonprofit organization, also actively serves to enhance the careers and community service opportunities of minority attorneys in Central Pennsylvania.

As in the past, members of the Bar today have achieved prominence in all branches of the law and government. Beyond serving the legal needs and interests of their clients, members of the Dauphin County Bar continue to be actively engaged and contribute to all aspects of life - business, civic, charitable and social - in Dauphin County.

***Authors note.** The history of the Dauphin County Bench and Bar reported here is drawn from numerous sources. Those include: an address by Judge Hargest on the occasion of the sesquicentennial of the Dauphin County Court in 1935; the booklet prepared for the dedication of the Dauphin County courthouse in 1943; an address by Judge Homer Kreider to the Historical Society of Dauphin County in 1952; Centenary Memorial of the Erection of Dauphin County and the Founding of the City of Harrisburg, published in 1886; The Twentieth Century Bench and Bar, published in 1903; the History of Dauphin County, by Luther Reily Kelly, published in 1907; The History and Topography of Dauphin, Cumberland ... Counties, by Daniel I. Rupp, published in 1846; The History of Law and Lawyers in Dauphin County, by*

*Don Sarvey, published in 2008; Notes and Queries Historical and Genealogical Chiefly Relating to Interior Pennsylvania, by William Henry Egle, published in 1894; Then and Now in Harrisburg, by Marian Inglewood, published in 1925; History of Dauphin and Lebanon Counties, by William Henry Egle, published in 1883; Centennial History of the Settlement and Formation and Progress of Dauphin County Pennsylvania from 1785 - 1876, by George H. Morgan, published in 1877; Harrisburg and Dauphin County: a sketch of the history for the past 25 years, 1900 -1925, by George Patterson Donehoo, published in 1925; Historical Collections of the State of Pennsylvania: Containing a Copious Selection of the Most Interesting Facts, Traditions, Biographical Sketches, Anecdotes, Etc., Relating to Its History and Antiquities, Both General and Local, with Topographical Descriptions of Every County and All the Larger Towns in the State, by Sherman Day, published in 1843; Harrisburg, The City Beautiful, Romantic and Historic, by George P. Donehoo, published in 1927; This Was Harrisburg, by Richard H. Steinmetz and Robert D. Hoffsommer, published in 1976; Life by the Moving Road, by Michael Barton, published in 1983; and Building Harrisburg The Architects and Builders 1719 - 1941, by Ken Frew, published in 2009.*

*Thanks are due to Ken Frew, the Staff Librarian for the Historical Society of Dauphin County, for his expertise and patience in providing many of these resources. Special thanks are also due to Judge Jeannine Turgeon and Jessie L. Smith, a Past President of the Dauphin County Bar Association for providing their valuable insights of the Bench and Bar and the significant amount of time they spent exercising their remarkable editing skills. Thanks are also due to Deb Freeman, the Dauphin County Court Administrator, as well as Laura Motter, the Dauphin County Law Librarian and Jeb Stuart, a Board member of the Historical Society of Dauphin County and the Historic Harrisburg Association, for information, resource materials and photos that contributed greatly to this booklet.*



# *The Dauphin County Court - Origins of the Commonwealth Court*

*By Daniel R. Schuckers, Esq.  
Prothonotary of the Commonwealth Court 1987-2007*

**T**he Commonwealth Court of Pennsylvania which came into existence in 1970 is unique among state intermediate courts in the United States. It is the only state intermediate appellate court which specializes in governmental or public law. Moreover, its jurisdiction as an intermediate appellate court is novel in that approximately 10% of its caseload is in its original jurisdiction.

To a considerable extent, the jurisdictional features of the Commonwealth Court are due to the unique role played by the Dauphin County Court before 1970. As early as 1811 with the Act of March 30 relating to the settlement of public accounts and the payment of public monies, the General Assembly vested jurisdiction in the Dauphin County Court. Later the court was given exclusive jurisdiction of questions concerning the nomination of candidates for state offices. As noted by Clinton County Judge (Chair of the PBA's Committee for Implementation of the 1968 proposed Judicial Article that created the Commonwealth Court) Abraham Lipez in *History of the Commonwealth Court* (in Volume 1 of the Pennsylvania Commonwealth Court reports) : The Act of April 7, 1870, "recognized the need for a court with statewide jurisdiction at the seat of government." The Dauphin County Court was the obvious forum to assume such jurisdiction and between 1870 and 1970 the Dauphin County Court with its Commonwealth Docket became increasingly important in the development of governmental or public law in Pennsylvania.

The importance of that development is evident in Volume 1 of the

Dauphin County Reports published in 1898; the title of that first volume is "The Decisions of the Judges of the 12th Judicial District and the Decisions of the Heads of Department of the State Government." Interestingly, two of the first four cases in volume 1 are a disappointed bidder case (decided by Judge McPherson) involving the state Board of Commissioners of Public Grounds and Buildings with the issue being what is the meaning of the term "lowest responsible bidder" and a request for a preliminary injunction (denied by Judge Simonton) to restrain the Capitol Building Commission from letting contracts for the proposed new Capitol Building.

As noted by President Judge Hargest in his 1935 *History of the Court of Dauphin County*, former

Attorney General of Pennsylvania William Schnader had observed that "Dauphin County Court [was] especially commissioned by the [Act of May 26, 1931] as the forum in which Commonwealth cases shall be heard in the first instance." Thus, the Commonwealth Docket of the Dauphin County Court contained cases involving appeals (most commonly appeals involving state taxes) and original jurisdiction matters involving actions against state government (usually via equity or mandamus actions) or actions by state government (usually via equity actions).

The increase in the number of state agencies

in the decades after 1935 and the emergence of a more litigious society by the 1960's lead to calls for a second intermediate appellate court in Pennsylvania. Dauphin County President Judge Kreider is quoted in Don Sarvey's *The History of Law and Lawyers in Dauphin County* as saying that the "flood of litigation" on state issues had become "an Intolerable burden" and the Dauphin County Court "simply could not handle expeditiously the disposition of these important State cases."



*President Judge Kreider*

Throughout the United States in the late 1960's and early 1970's, numerous states, particularly the more populous states, encountered this same rise in litigation and the need for additional appellate courts. The delegates to the Pennsylvania Constitutional Convention of 1967-68 met in Harrisburg and addressed this need in a manner which was unique in the United States. The delegates, according to Judge Lipez "envisioned, not only a court which would take over the Commonwealth jurisdiction of the Dauphin County Court, but a third appellate court which would relieve the increasingly heavy burdens on [the Pennsylvania Supreme Court and the Pennsylvania Superior Court]."

Instrumental in creating this third appellate court were two distinguished Dauphin County lawyers, Robert E. Woodside and James S. Bowman. Woodside had a distinguished career as a state representative, Dauphin County Court judge, Pennsylvania Attorney General and Superior Court judge; he was a delegate to the Constitutional Convention where he was the co-chair of the subcommittee that wrote the Judicial Article for the new Constitution and laid the foundation for

the creation of the Commonwealth Court in 1970. Bowman was a Dauphin County Court judge from 1964 to 1970 who was recognized as an outstanding jurist with special expertise in jurisdictional and procedural matters.

Several constitutional amendments, including the Judiciary Article creating the Commonwealth Court as of January 1, 1970, were approved by the Constitutional Convention and submitted to the electorate and approved on April 23, 1968. The Pennsylvania Bar Association appointed an Implementation Committee to assist in the implementation of the Judiciary Article; the committee included Harrisburg attorney Gilbert Nurick. Two sub-committees were formed to make recommendations concerning the Commonwealth Court's original and appellate jurisdiction. The chair of the subcommittee on original jurisdiction was Judge Bowman of the Dauphin County Court.

The proposed recommendations of the Implementation Committee were approved by the Pennsylvania Bar Association and some of its recommendations were incorporated in the Commonwealth Court Act, Act of January 6, 1970 and other recommendations were incorporated in the Appellate Court Jurisdiction Act of 1970, Act of July 31, 1970.

Although the seven judges of the Commonwealth Court, including James S. Bowman as President Judge, were appointed by Governor Shafer and quickly confirmed by the Senate in April of 1970 followed by the court's investiture on April 15, 1970, the Commonwealth Court Act provided that the court could not perform its judicial duties until



*President Judge Bowman*

the Governor proclaimed its readiness to do so. The Governor's proclamation did not occur until September 1, 1970 resulting in an interesting sequence of events.

Volume 93 of the Dauphin County Reports includes 1) two opinions filed by Dauphin County Court Judge Bowman on April 15, 1970, the day he was sworn in as a Commonwealth Court judge. Each of these opinions contain a notation by President Judge Kreider that the foregoing opinion was prepared by Judge Bowman before his resignation as a Dauphin County Court judge; 2) three opinions (involving a contract dispute, a tax case and a domestic relations dispute) by Judge Bowman after April 15, 1970 with similar notations by President Judge Kreider; and 3) four opinions by newly-confirmed Commonwealth Court judges Crumlish (in a state retirement board case), Wilkinson (in a state sanitary water board case), Mencer (in a state harness racing commission case) and Manderino (in a case involving the state prevailing wage law and the Chambersburg Area Middle School). Although the Commonwealth Court had not received a gubernatorial proclamation before September 1, 1970, several of the judges were busy during the summer of 1970 becoming acquainted with the court's jurisdiction thanks to the obvious cooperation of President Judge Kreider and the Dauphin County Court. Interestingly, Volume 93 also contains two opinions by visiting Adams County Judge John MacPhail who later was appointed to the Commonwealth Court and served from 1978 to 1988.

With the Commonwealth Court being open for business on September 1, 1970, numerous cases were transferred from the Commonwealth Docket in the Dauphin County Court to the new Commonwealth Court situated in the top floor of the South Office Building (now the Leroy Irvis Office Building) in the Capitol complex. The 1970 transfer docket of the Commonwealth Court for the period from September 1 to December 31, 1970

contains 1014 cases; an overwhelming number of those transferred cases were from the Dauphin County Court and an overwhelming percentage of those cases were tax cases. Apparently, the Dauphin County Court had a tradition of allowing the attorneys in the state tax cases to proceed at their own pace. The hope apparently was that the cases would eventually settle, which most of them eventually did. That tradition was continued for some time in the Commonwealth Court by President Judge Bowman.

Not all of the Commonwealth Court's 1970 transfer docket involved transfers by the Dauphin County Court. Numerous cases were transferred to the Commonwealth Court by the Pennsylvania Supreme Court after September 1, 1970. These were usually cases which had not been briefed or argued in the Supreme Court as of that date. Some cases, however, which had been briefed but not yet argued in the Supreme Court were retained by the court and not transferred to the Commonwealth Court. See, for example, *Commonwealth v. Emhart Corp.*, 443 Pa. 397 (1971).

The uniqueness of the Commonwealth Court of Pennsylvania is to a great extent due to its origins in the Commonwealth Docket of the Dauphin County Court. The decision to create a second intermediate court which would specialize in governmental or public law was made in Harrisburg at the Constitutional Convention of 1967-68 and was greatly influenced by Harrisburg attorney Robert E. Woodside and Dauphin County Court Judge James S. Bowman. The ease of the 1970 transition of cases from the Dauphin County Court to the Commonwealth Court was undoubtedly due to the close relationship between President Judge Kreider and President Judge Bowman.

# *Pennsylvania's Unified Judicial System*

**P**ennsylvania's Unified Judicial System is one of North America's oldest, growing from a collection of part-time, local courts prior to 1700 to today's statewide, automated court system.

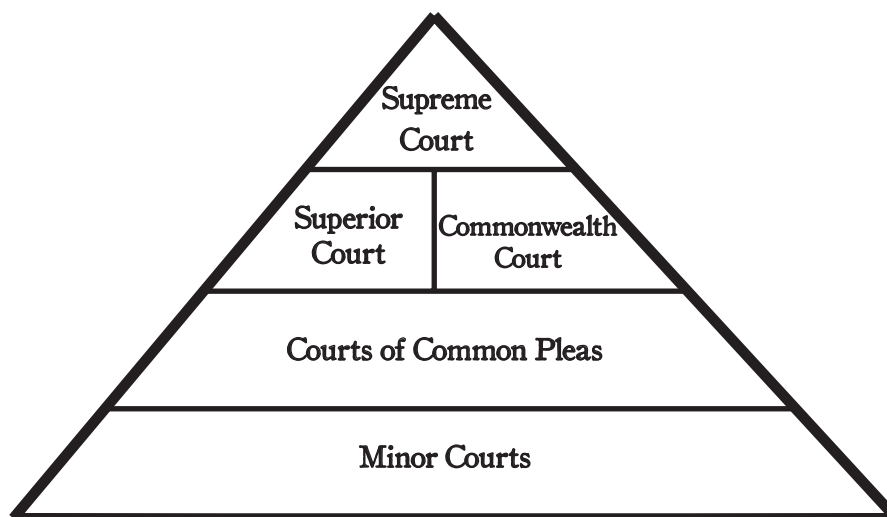
The judiciary's entry-level courts are located in more than 500 magisterial districts and in municipal courts in Philadelphia and Pittsburgh. The next level, the state's trial courts or Courts of Common Pleas, are in judicial districts which mostly follow county boundaries. The statewide intermediate appellate courts – Superior and Commonwealth – hear criminal and civil appeals from the trial courts and some original cases brought against the state and its agencies.

The Supreme Court of Pennsylvania is the highest arbiter of cases in the judicial system, and has administrative authority over the entire court system. The Pennsylvania court system is structured like a pyramid with the Supreme Court at the top.



*Justices of the Supreme Court of Pennsylvania August 2015*

*Top: Justice Debra McCloskey Todd; Justice Correale F. Stevens  
Bottom: Justice J. Michael Eakin; Chief Justice Thomas G. Saylor;  
Justice Max Baer*



# *The Dauphin County Court Today*

**Richard A. Lewis** (1994 – Present) Born 1947 in Steelton, PA. Graduate of Bishop McDevitt High School, Rutgers University, and Dickinson



School of Law. Assistant District Attorney 1972-80; served as elected District Attorney from 1980 until his election to the bench. President, Pa. District Attorney's Association 1985-1986.

Member, Pa. Sentencing Commission, 1983-1990. Adjunct Professor at Dickinson School of Law, Widener University School of Law, and Penn State-Capitol Campus. Former Chair, Pennsylvania Supreme Court Rules of Evidence Committee and member, Pennsylvania Conference of State Trial Judges Education Committee. Elected to bench November 1993. Retained November 2003 and November 2013. President Judge February 15, 2005- February 2010, and January 1, 2015-Present. Currently serving a second term as President Judge.

**Jeannine Turgeon** (1992 - Present) graduated from Central Dauphin East High School (1970), Chatham College (B.A. 1974) and the University of Pittsburgh School of Law (J.D. 1977-Class President 1974-76) and has obtained

credits from the National Judicial College towards a Master's Degree in Judicial Studies.

Following law school she served as a law clerk to the Honorable

Genevieve Blatt (1977-1979), practiced law at Nauman, Smith, Shissler &



Hall (1979-1981). In 1981, she became partner at Campbell, Spitzer, Davis & Turgeon, later Davis & Turgeon, until November of 1991, when she was elected as the first woman judge of the Dauphin County Court (retained in 2001 and 2011). In 2015 she became Supervising Judge of Dauphin County's first Family Court.

Judge Turgeon is Vice-Chair of the Pennsylvania Supreme Court Suggested Standard Civil Jury Instructions Committee (2000-date). She is also Vice-Chair of the Judicial Security Committee of the Pennsylvania Conference of State Trial Judges (July 2005–date). She was Chair of the Family Law Section of the Pennsylvania Conference of State Trial Judges for many years (1996–2000) and served on the PA Supreme Court Domestic Relations Rules Committee (Member-1997-2003; Chair-2002/2003).

Judge Turgeon's publications include The "Attached" Family Law Lawyer and Judge - The Importance of "Attachment" in Custody Cases, 37 PA Family Lawyer Issue No. 2 June 2015; Crafting Model Jury Instructions for Evaluating Eyewitness Testimony, The Pennsylvania Lawyer, Sept/Oct 2014 & National Center for State Courts Jur-E Bulletin, Aug. 29, 2014; Avoiding Tweeting Troubles, Facebook Fiascos and Internet Imbroglis –Adapting Jury Instructions for the Age of Social Media The Pennsylvania Lawyer, Sept/Oct 2014 & National Center for State Courts Jur-E Bulletin, Oct. 3. 2014; What's in a Judge's Toolbox for Children in High-Conflict Families Without Parenting

Coordinators? 35 PA Family Lawyer Issue No. 3 September 2013; A Guide for Supervised Visitation, Pennsylvania Family Lawyer, June 2012; DCBA Newsletter, July 2012; Training DVD Helps Person in Charge of “Supervised Visitation”, Child Support Report, August 2012, No. 34 Vol. 8; A New Approach to Preparing Families to Deal with Supervised Visitation, The Pennsylvania Lawyer, Nov/Dec 2012; Improving Pennsylvania’s Justice System Through Jury System Innovations, Widener Law Journal, 18 Widener L.J. 419 (2009); Partnership Means Progress For Family Court Reform for the PBA Family Law Section, Pennsylvania Family Lawyer, May-June 2003; PFA Court – A Problem Solving Court, Pennsylvania Family Lawyer, Dec., 2001; Judges: Should Pharmacological Treatment Be a Condition of Certain Sex Offenders’ Probation or Parole? Jurispudence (Pennsylvania Trial Judges) May 1997; How to Create A Custody System That Works, The County Line (PBA) July 1996; and A Custody System That Works, Jurispudence (Pennsylvania Trial Judges) Dec., 1995 and in The Pennsylvania Lawyer; Dec., 1996.

Judge Turgeon and her husband, Luther E. Milspaw, Jr., Esq. have daughters Dr. Jennifer Milspaw Blattner, Ashley Turgeon Milspaw, Psy.D., Alexandra Turgeon Milspaw, Ph.D., and Abigail Turgeon Milspaw, B.A.; two grandsons and three granddaughters.

**Scott Arthur Evans** (1994 – Present) Elected to bench November 1993. Retained November 2003 and 2013. Born October 11, 1957, in Harrisburg, PA. Graduate of Harrisburg High School, Dickinson College (B.A. Economics) and Delaware Law School of Widener University. Harrisburg City School Board 1977-78. Dauphin County



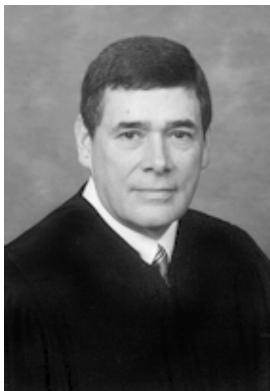
Assistant Public Defender 1981-83; litigation associate with Melman, Gekas, Nicholas and Lieberman 1983-85; Solicitor, Dauphin County Treasurer 1984-85; admitted U.S. Tax Court; Dauphin County Chief Public Defender from 1985-94. NLADA (death penalty subcommittee) PACDL, PDAPA. Former adjunct professor Widener University Law School (trial advocacy; products liability); Board of Overseers 1989-2000; Lecturer, Pennsylvania State Police Academy, Dickinson School of Law, Dickinson College, Elizabethtown College, and Harrisburg Area Community College. Member of Pennsylvania Supreme Court Criminal Procedural Rules Committee 1998-2004. Member Environmental Hearing Board Rules Committee 2003-2004. PIAA Lacrosse Official (CPOLA President 2013-2015) 2003-present. Member Calvary United Methodist Church. Drummer, “All Jacked Up” cover band 2006 – present. Married to Barbara A. Zemlock, Esq. Four Children Laura, Megan, Samuel and Julie; grandson McArthur.

**Todd A. Hoover** (1994 – Present) Graduated from Indiana University of Pennsylvania (B.S. Criminology 1976); and Delaware Law School (J.D. 1979). He served as Dauphin County Deputy District Attorney from 1979-1983 and engaged in the private practice of law from 1983 until 1993. His practice focused on Criminal Defense, Family Law, Wills & Estates, he served as special counsel to the Dauphin County Domestic Relations Office, Divorce Master, and as the Pennsylvania State Police Court Martial Board Solicitor. He was elected to the Dauphin County Court of Common Pleas in November 1993 and retained in 2003 and



again in 2013. Judge Hoover sat as President Judge of Dauphin County Court of Common Pleas from 2010 to 2014. Judge Hoover has been a guest lecturer at Widener School of Law and Temple University. He has spoken at State and National conferences on the use of “Family Group Decision Making” as an alternative sentencing for Juvenile Delinquency and Adult Offenders. He was a recipient of the Pennsylvania Bar Association Pro Bono Judge Award in 2008. He has appointed by the Supreme Court to serve on the Constable Handbook Committee (Co-Chair) – 2011, Chairman of the Juvenile Court Procedural Rules Committee – 2012; member of the Statewide Committee on Elder Abuse - 2013 and Juvenile Act Advisory Committee (JAAC) since 2014.

**Lawrence F. Clark, Jr.** (1996 – 2013) Senior Judge. Elected to the Dauphin County Bench in November of 1995, and served in Active Status from January of 1996 to December of 2013; and thereafter began service as a Senior Judge, effective January 2014. Judge Clark was born on March 17, 1943, in Wilkes-Barre, Luzerne County, Pennsylvania. He attended Wilkes College and Harrisburg Area Community College. In December of 1964 he graduated from the Pennsylvania State Police Academy in Hershey, later from the Northwestern University Traffic Institute, Evanston, Illinois in June of 1970, and thereafter from Indiana University, Indianapolis Law School in May of 1974.



Judge Clark is the first Pennsylvania State Trooper to graduate from Law School. He was formerly Chief Counsel for the Pennsylvania State Police and an Assistant Attorney General of Pennsylvania, also served as the State Police Academy Legal Officer, and was a Primary Instructor of Constitutional Law,

Criminal Law, and numerous other academic and police-related instructional subjects at the State Police Academy. He retired as a sworn member of the Pennsylvania State Police in 1985 with over 20 years of service to the Commonwealth.

Thereafter, he maintained a full-service private law practice from 1985 through 1995. He is a former Special Consultant to the Pennsylvania Senate on matters relating to statewide municipal police jurisdiction and associated issues. He was a duly elected member of the Derry Township Board of Supervisors, Dauphin County (1992 to 1995; serving as Chair in 1993).

Judge Clark is a member of the Hershey Rotary Club and numerous other service oriented professional organizations. He was an Eagle Scout and the first Scout in his Troop to earn that award. Judge Clark is currently serving as a Senior Judge throughout the Commonwealth, including Dauphin County.

**John F. Cherry** (2000 – Present) Born April 14, 1951, in DuBois, PA. Graduate of DuBois High School, Gannon University, and Dickinson School of Law. Served as teacher, coach, and high school administrator at Elk County Christian High School, St. Mary’s, PA. Dauphin County Deputy District Attorney; Dauphin County Chief Deputy District Attorney, Deputy Attorney General, Commonwealth of Pennsylvania; partner at Goldberg, Katzman & Shipman. Appointed District Attorney in December 1993; elected District Attorney of Dauphin County 1994-99. Adjunct Professor, Dickinson College. Elected to the bench in 1999.



**Bruce F. Bratton** (2001 – Present) Nominated to bench by then-Governor Tom Ridge 2000, confirmed by PA Senate, June 2001; Inauguration on October 1, 2001; Retained 2011. Born June 25, 1949, in Lewistown (Mifflin County). Graduate of Mount Union Area High School, 1967; Pennsylvania State University, with honors, 1973; The Law School of the University of Pennsylvania, Philadelphia, 1976. Served in the United States Army in the Republic of Vietnam in both infantry and artillery units, 1969-70. Associate attorney at Meyers & Desfor, Harrisburg; partner at Connelly,



Martsof, Reid, Bratton & Spade, Harrisburg; and partner at Martsof & Bratton, Harrisburg 1987 – 2001. Life Member of Vietnam Veterans of America, Chapter 542, Harrisburg. Member, Robert Burns Lodge No 464, F&AM. Current

assignments include Civil Court Calendar Judge and Civil Court trial judge; Dauphin County Orphans' Court back-up judge in estate, adoption, and related matters. Founder and presiding judge of Dauphin County Veterans' Treatment Court.

**Deborah E. Curcillo** (2010 – Present) Born July 29, 1962, in Harrisburg, PA. Graduate of Central Dauphin High School, Dickinson College, and Delaware Law School of Widener University. Elected West Hanover Township Supervisor 2007-2009. Dauphin County Deputy District Attorney 1987-1994. Chief Deputy District Attorney 1994-2009. Instructor of Municipal Police Officers' Education and Training Commission



from 1988-2009; Pennsylvania Bar Institute; and The Pennsylvania District Attorney's Association. Member of Holy Name of Jesus Parish. Elected to bench November 3, 2009. Currently serving as DUI Judge, Civil and Criminal Cases. Married to Joseph A. Curcillo III, Esq. managing attorney at Curcillo Law and past President of Dauphin County Bar Association; two daughters Olivia and Kaela.

**Bernard L. Coates, Jr.** (2010 – Present) Elected to bench November 2009. Born July 20, 1960 in Harrisburg, PA. Graduate of Steelton-Highspire High School, Pennsylvania State University and the University of Dayton School of Law. Dauphin County Assistant District Attorney 1985- 1987; Associate with Thomas and Thomas 1987-1988;



Associate with Mancke and Wagner 1988-1993. Sole practitioner 1993-2009. Steelton Borough Council from 1988-1990. Dauphin County Juvenile Master 2000-2009. Cornelius Award for 2010. Election Board Judge. Judge in Pennsylvania Statewide High School Mock Trial

Competition 2010-2015; Guest lecturer at Penn State Dickinson School of Law, Guest lecturer at Widener School of Law and Guest lecturer for 2015 Harrisburg Area-Community Leadership Services. Two children: Caleigh Marie and Bernard L. Coates, III, "Trey".

**Andrew H. Dowling** (2010 to present) Judge Dowling is a native of Harrisburg, graduated from Bishop McDevitt High School in 1975, graduated from Lafayette College B.A. in 1979 with degree in Government and Law and graduated from Dickinson School of Law, J.D. in 1983. Prior to being elected to the bench, Judge Dowling was a



shareholder with the Harrisburg Law Firm of Mette Evans & Woodside litigating complex civil and criminal matters where he had over 25 years of trial experience. He is Board Certified by The National Board of Trial Advocacy as a Civil Jury Advocate (1998-2013). Judge Dowling began his legal career as a Deputy District Attorney in Dauphin County from 1983 to 1986. Judge Dowling has



been active in the Dauphin County Bar Association having served on its Board of Directors from 2002 through 2004, and committees including Continual Legal Education and Bar Association Law Days. Judge Dowling also was active in the PA Bar Association including serving on the Professionalism Committee where he was chair from 2003 to 2006. Prior to his election to the bench, Judge Dowling was involved in a variety of community organizations. He was on the Executive Board of the Keystone Area Counsel (Boy Scouts), and served as treasurer for the community based "Inspired Recreation", a group that raised money and organized the community to build an innovative playground accessible to children with disabilities (known as "Possibility Place"). Judge Dowling was

involved with Toastmasters (president 1996-1997; area governor 1997-1998), a non-profit international organization that promotes public speaking and leadership skills. He has served on the Board of Directors of his church where he was also president and also served on the Board of Directors of the community group providing food to the needy (formerly known as "Channels Food Rescue"). Judge Dowling is the son of Barbara Dowling and the late Judge John C. Dowling. Judge Dowling has one brother and four sisters and a twelve year old son Jack.

**William T. Tully** (2014 – Present) Handles primarily civil and family court matters and has primary responsibility for Protection from Abuse (PFA) and Paternity Courts. Prior Court Service: did two tours of duty at the District Attorney's Office under then District Attorney Richard Lewis; also served ten years as County Solicitor. Graduated from The University of Notre Dame and Dickinson School of Law. Judge Tully is active in his church and community, as well as the Cystic Fibrosis Foundation and the Central Pennsylvania Figure Skating Club.



*Top:*  
*Hon. William Tully,*  
*Hon. John Cherry,*  
*Hon. Bernard Coates,*  
*Jr., Hon. Andrew*  
*Dowling, Hon. Bruce*  
*Bratton, and*  
*Hon. Debra Curcillo*



*Bottom:*  
*Hon. Scott Evans,*  
*Hon. Jeannine*  
*Turgeon, Hon.*  
*Todd Hoover, Hon.*  
*Richard Lewis and*  
*Hon. Lawrence Clark*

# *Dauphin County Commissioners*



*Jeff Haste, Chairman*



*Mike Pries, Vice Chairman*



*George P. Hartwick III, Secretary*

# *Dauphin County Row Officers*



*Stephen Farina, Prothonotary*



*Jack Lotwick, Sheriff*



*Dale E. Klein, Clerk of Courts*



*James Zugay, Recorder of Deeds*



*Janis Creason, Treasurer*



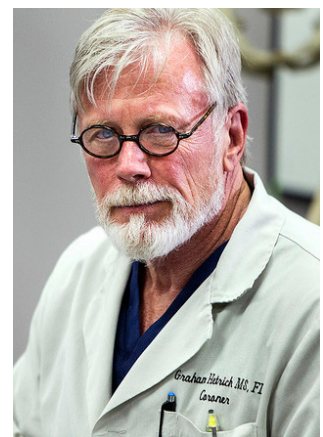
*Edward Marsico, Jr.,  
District Attorney*



*Jean Marfizo King, Register of  
Wills & Clerk of the Orphans'  
Court*

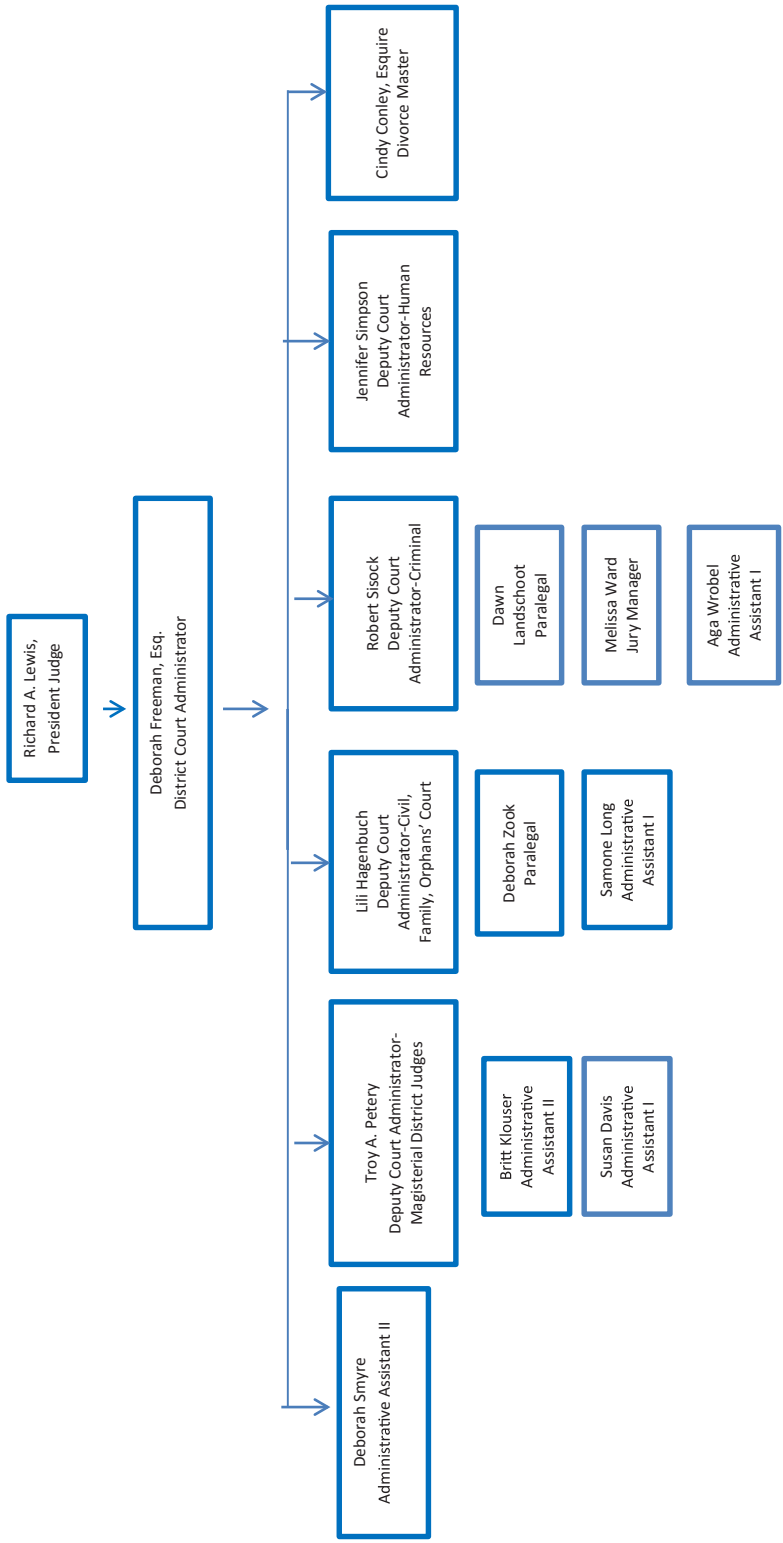


*Marie Rebeck, Controller*

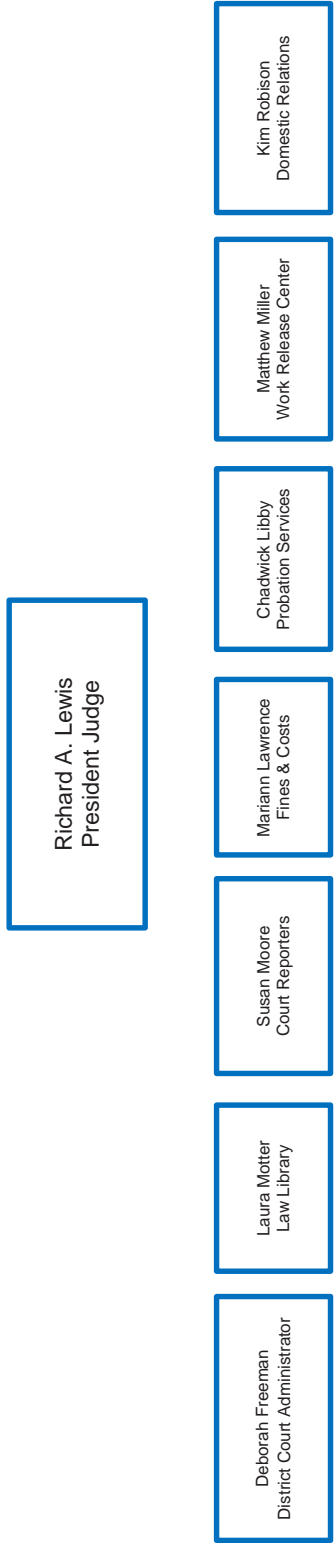


*Graham Hetrick, Coroner*

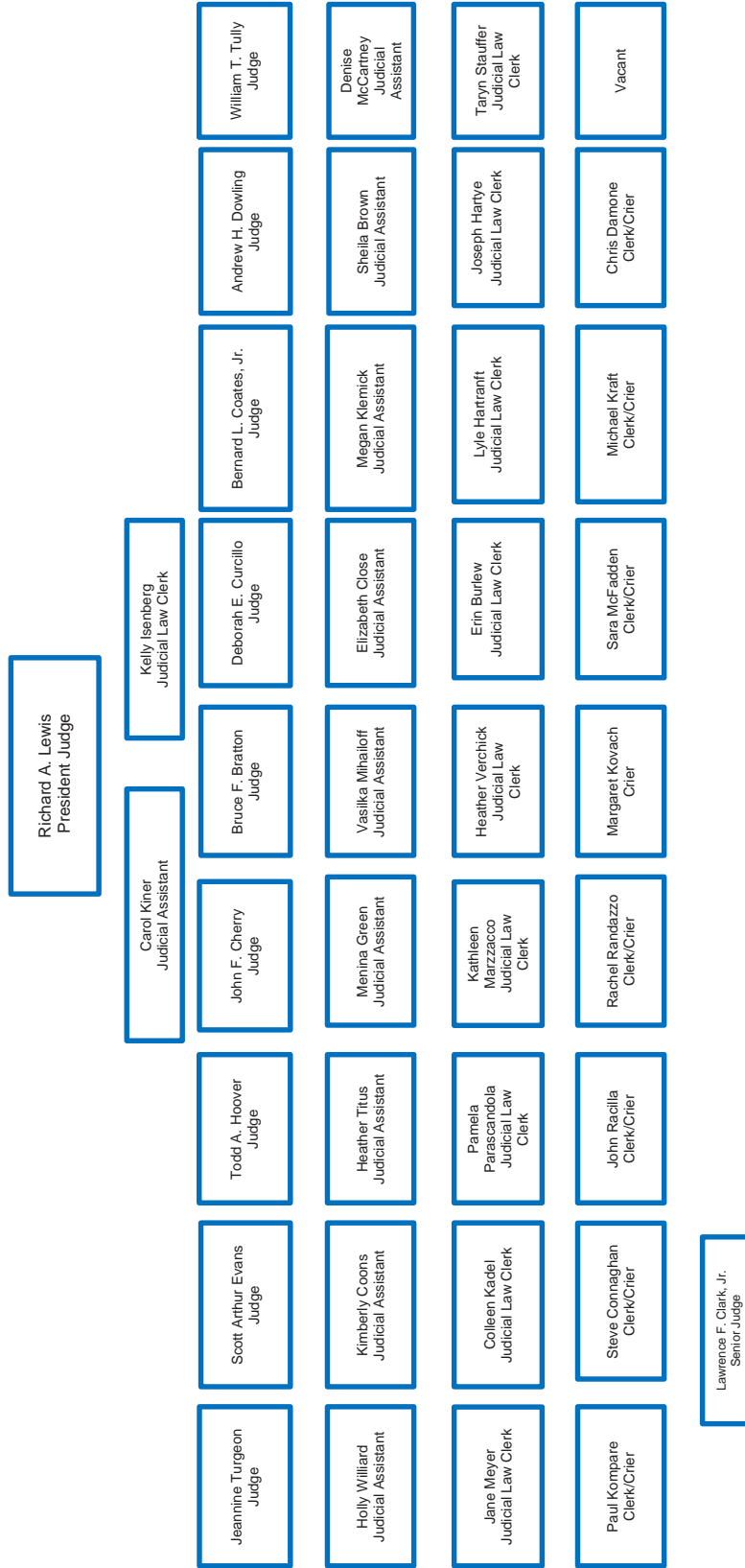
# COURT ADMINISTRATION STAFF CHART



# COURT DEPARTMENTS CHART



# COURT STAFF CHART



# Dauphin County Judicial Services Report

## Court Departments

The President Judge oversees seven court departments. This includes Court Administration, Fines and Costs, Probation Services (Juvenile and Adult), the Work Release Center, Law Library and Domestic Relations. Provided below is a short summary for each department.

## Court Administration

*Deborah Freeman, Esq. District Court Administrator*

The Court Administrator's office consists of a District Court Administrator, a Deputy Court Administrator-Magisterial District Judges, a Deputy Court Administrator-Criminal, a Deputy Court Administrator-Civil/Orphans'/Family and a Deputy Court Administrator-HumanResources.



*Deborah Freeman*

Prior to 2013, all judges handled civil, criminal and family matters. In 2013, a new approach was implemented and five judges were assigned to handle civil and family court matters and five judges handled criminal cases. Each criminal court judge was assigned a team of district attorneys, public defenders and conflict counsel and two or more magisterial district judges whose cases would be handled by the assigned criminal court judge. This resulted in greater continuity and more cases

are disposed because there is constant oversight of the criminal cases.

In 2015, the court assignments were further split and two judges were assigned all civil matters, three judges were assigned all family court matters and five judges were assigned all criminal matters. As a result, Dauphin County saw the creation of a 'Family Court' and the one family-one judge assignment protocol was implemented. Along with the creation of 'Family Court' in January, 2015, the position



*Cindy Conley*

of a full time Divorce Master was created and Cindy Conley, Esquire was hired. Master Conley handles all pre-trial divorce matters, all divorce and equitable distribution matters and any post-divorce issues.

The Deputy Court Administrator-HR handles not only all human resource issues for all Court employees but also serves as the Language Access Coordinator for the Court. She secures AOPC certified interpreters for all in court- proceedings where a party or witness requests an interpreter. The Court is responsible for paying for all interpreters used in court proceedings and the budget for interpreter costs is approximately \$100,000 a year.

## Magisterial District Judges

*Troy Petery, Deputy Court Administrator-Magisterial District Judges*

The Magisterial District Judge system in Dauphin County consists of 15 locally elected Magisterial District Judges from various wards within the City of Harrisburg and surrounding

townships. Each Magisterial District Judge has his/her own court serving their local jurisdiction.



*Troy Petery*

There is also a Central Court and Night Court to make up the total allotment of 17 courts in Dauphin County. In addition to the Judges, there are a total of 85 employees employed within the Magisterial District Courts with an annual expenditure budget of approximately \$6.8 million. They collect about \$1.4 million

annually in revenue through the collection of Fines and Costs. Magisterial District Judges hear approximately 80,000 to 85,000 Criminal, Traffic, Non-Traffic, Landlord/Tenant, Civil and Private Criminal Complaints cases per year.

The Office of Deputy Court Administration for the Magisterial District Judges consists of one Deputy and two Administrative Assistants. This office acts as a liaison between the President Judge and the Magisterial District Judges, as well as the Administrative Office of Pennsylvania Courts. This office advises the courts of rule changes and orders that affect their courts, develops administrative policies and procedures, and ensures proper accounting of the various bills and contracts, as well as the safekeeping of County property located within the local Magisterial District Courts.

### **Civil, Family and Orphans' Court**

*Lili Hagenbuch, Deputy Court Administrator-Civil, Orphans' and Family*

In 2014, there were 5 judges who handled mostly Civil, Family and Orphans' Court matters. In 2014, there were 12 civil jury trials. Civil assignments and motions totaled approximately 3155. These included motions that were handled by the monthly "Motions" judge, discovery motions, applications for status conferences, motions for summary judgment, preliminary objections, license suspension appeals,

name change petitions and tax assessment appeals.



*Lili Hagenbuch*

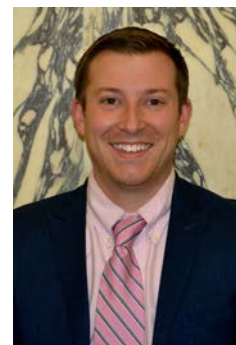
There were 295 support appeals, 875 contempt hearings for support issues, 982 Protection from Abuse and Indirect Criminal Contempt petitions, 123 paternity cases and 8 exceptions to the divorce master's reports. There were also 1543 divorce motions and assignments, 362 custody cases that did not reach an agreement at the custody conference and 410 emergency custody petitions assigned. There were 1089 custody petitions, petitions for modification of a custody order and petitions for contempt assigned to the conference officers. They resolved approximately 70 percent of the cases and were able to effectuate an agreed parenting plan/order without the parties and children having to go before a judge.

In Orphans' Court, there were 47 guardian petitions filed, 70 petitions for the termination of parental rights, 79 adoption assignments and 280 miscellaneous Orphans' Court matters assigned to the court.

### **Criminal Court**

*Robert Sisock, Deputy Court Administrator-Criminal*

The criminal division of the court administrator's office is responsible for reviewing and assigning the criminal caseload in a timely manner. In addition, court administration reviews all filed motions/petitions and directs them to the appropriate judge for disposition. Motions are forwarded to the assigned judge based on an MDJ feeder pattern.



*Robert Sisock*

There are five criminal court judges, each handling dockets filtered through selected Magisterial District

Judges. In 2014, Court Administration had 6,797 criminal dockets and processed 7,974 criminal motions. The criminal bench accepted 4,372 guilty pleas in 2014 and presided over 106 jury trials.

Dauphin County Court of Common Pleas also has two treatment court programs, Veterans Court and Drug Court. In Veterans Court, there were 53 participants in 2014; 13 were admitted, 25 applicants were rejected and 9 participants successfully graduated. Since the inception of this program, Dauphin County Veterans Court Program has graduated 32 participants.

Dauphin County Drug Court had 104 participants in 2014; 19 were newly admitted in 2014, 49 applicants were rejected and 13 participants successfully graduated. Since 2011, Dauphin County Drug Court Program has graduated 43 participants.

### Law Library

*Laura Motter, Law Librarian*

The Dauphin County Law Library was created in 1865 and is maintained by statute. The law library has one full-time librarian and one part-time assistant to serve the Dauphin County Judges, attorneys, government employees, paralegals, students, and the public. There are greater than 34,000 volumes located in the law library and throughout the Dauphin County Courthouse. The law library staff also maintains the libraries of the ten Dauphin County Judges.



*Laura Motter*

With the addition of an eighth judge in 2001, an expansion was needed in the Courthouse. In 2004, the Law Library relocated from the fifth floor of the Courthouse to the fourth floor in order to accommodate the new courtroom 8 and chambers for two judges. The new Law Library was smaller, but from a technological standpoint it expanded because seven computer terminals were added

for legal research. Important historical features that were moved to the new Law Library were the original glass panels from the doors. The panels on the Law Library doors are sandblasted designs illustrating Freedom of Speech and Freedom of Press.

A large component of the law library is the Self Help Center. In 2006, the Self Help Center was added as an access to justice initiative and has forms and instructions available for self-represented litigants. The packets may be purchased at the Self Help Center or they are available on the Dauphin County website free of charge. The self-help forms are compiled by a committee consisting of judges, attorneys and court administration. In 2014, the Self Help Center sold 1,075 packets and collected \$8,960.00 from the sales. Included in the Self-Help Center are forms and instructions for custody, divorce, license suspension appeals and name change. In 2014, the Self-Help Center was presented with the Dauphin County Bar Association Liberty Bell Award and this is prominently displayed in the Law Library.

### Work Release Center

*Matthew Miller, Director*

The Dauphin County Work Release Center opened as a separate, stand-alone facility in 1996. Managed by the Dauphin County Court and placed under the supervision of the Adult Probation & Parole Department, the work release program supervised



*Matthew Miller*

up to 168 men who were eligible for work release participation. In 1999, a second 192 bed work release center was built to serve a total male population of 360. In 2007 the work release center became a separate department from the Adult Probation & Parole Department. In 2011 and 2012 an extensive renovation



project converted the work release program to one male building with a capacity of 274 men and one female building with a capacity of 74 women for a total capacity of 348 men and women. Through ongoing collaboration with Dauphin County Prison and Dauphin County Probation Services, the Work Release Center has been able to ease prison overcrowding while working towards their mission of preparing incarcerated men and women for their eventual release and return to the communities in which they reside. The Work Release Center is comprised of a staff of 76 employees comprised of work release probation officers, clerical staff, maintenance personnel, and managers.

The purpose of the work release center is to provide employment assistance programming to the unemployed, connect men and women to needed social services, perform community service for the benefit of the communities of Dauphin County, and initiate any other court imposed special conditions so that upon release, those individuals in the work release program have a sense of structure, stability, and accomplishment established when returning to their communities. In 2014 the work release center housed a total of 1,264 men and women (1,015 males and 249 females) with an average daily population of 249. The overall average length of stay in the work release center was 87 days. Community Service is an integral part of the work release program and the men and women of the work release center performed 31,380 hours of community service in 2014. Finally, offsetting the increasing costs of incarceration to the taxpayers of Dauphin County, the work release center collected total revenues of \$2,936,277.00 in 2014. Revenue collected is comprised of rent assessed to participants of the work release program, outstanding fines and costs, outstanding child support, grants from the Pennsylvania Commission on Crime and Delinquency, and reimbursements from the Pennsylvania Department of Corrections.

## Court Reporters

*Susan Moore, Chief Court Reporter*

Dauphin County's judicial system depends upon its court reporters to provide accurate verbatim transcription of court proceedings. The Court Reporters' Office is comprised of 12 court reporters and an administrative assistant. In 2014, the court reporters produced 44,838 pages of transcripts. In the first six months of 2015, our office has produced 26,385 pages of transcripts and responded to 256 inquiries made by various departments within the courthouse alone. With advanced technology, coupled with exceptional skills and a broad knowledge base, the Dauphin County Court Reporters continue to meet the demands of our judiciary and remain an integral spoke in the wheels of justice.

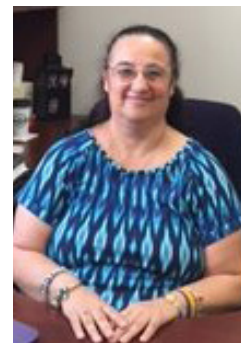


*Susan Moore*

## Fines and Costs

*Mariann Lawrence, Director*

The Fines and Costs office is a function of the Court of Common Pleas and presently has a Director, an administrative assistant and an Accounts Clerk 3. This office collects all fines, costs, fees and restitution for the Courts on all adult and juvenile criminal cases and uses the Court of Common Pleas Case Management System commonly known as CPCMS. This office is responsible for the collection and the distribution of all payments made through the system.



*Mariann Lawrence*

The office originally was under the District Attorney's office in the 1960's. In the early 1970's, it was briefly under the Clerk of Courts office and in the middle 1970's it was moved under Adult Probation. In 1985, then President Judge

Morgan made the Fines and Costs office a separate department still under the courts. There has always been a department director and 2 employees.

In 2014 this office collected over \$7 million dollars. Of that amount, over \$2 million was collected through the e-pay system. The breakdown of the money is as follows: over \$2 million went to the State, over \$200,000.00 went to the police departments and the rest stayed with the county.

### Domestic Relations

*Kim Robinson, Director*

The Domestic Relations Office (DRO) is a division of the Dauphin County Court of Common Pleas (Court). DRO assists with support services such as child support, alimony pendent lite, spousal support, paternity establishment, and enforcement of a support order. Once a support complaint is filed, a support conference is conducted and an order is entered based upon the state-wide support guidelines. If a party is dissatisfied with the support order, she or he may file a Request for a Hearing De Novo (appeal) before a judge. In 2014, parties filed more than 2,590 support complaints and approximately 1,400 support modifications.



*Kim Robinson*

The DRO uses various enforcement means including, but not limited to, client communication, automated state-wide computer system (PACSES) notifications, reports, and internal procedures to monitor and enforce support orders. As a last resort, incarceration may be necessary. If a party is in noncompliance with a support order, an enforcement conference may be conducted and many times, the matter is resolved without the involvement of the Court. If the party remains in noncompliance, she or he may be scheduled for DRO Contempt Court. In collaboration with the Commonwealth's Bureau

of Child Support Enforcement and the Court, our office has helped provide important support services to many families in need.

### Probation Services

*Chadwick Libby, Director*

In 2013, Adult Probation and Juvenile Probation merged into Probation Services. The Probation Services staff works with approximately 6300 adult and 800 juvenile offenders of which over 4000 of the adults and 700 of the juveniles are in the community. The essential function of this office is to ensure that court orders are managed effectively, to reduce re-offending behavior, to help repair the harm done by the crime and to assist all juvenile and adult offenders under supervision to become productive and law-abiding citizens.



*Chadwick Libby*

The Probation Services Department continues to utilize and expand individualized approaches focused on evidence-based principles and practices (EBP). The department continues to identify and focus on the specialized needs of special populations of offenders under supervision.



## WORKLOAD OF THE COURT

Although it is virtually impossible to compare the workload of the court from its beginning to the present due to societal changes, changes in statutes and rules of procedure, the chart below represents the number of filings in the Prothonotary's Office, the Clerk of Court's Office, the Register of Wills/Clerk of the Orphans' Court's Office and the Domestic Relations Office and the corresponding population numbers for those years in Dauphin County.

Year	Dauphin County Population	Prothontary Filings	Clerk of Courts Filings	Marriage Licenses	Estates	Orphans' Court Filings	Adoptions	Support
1814	21,653 (1820)	Not Available	126	None Filed	67	39	0	Not Available
1864	46,756 (1860)	1,009	341	None Filed	120	92	0	Not Available
1914	136,152 (1910)	2,460	544	1,293	370	215	0	Not Available
1964	220,255 (1960)	7,630	1,363	2,027	883	170	28	755
2014	271,453 (2014)	11,484	8,827	2,255	1,190	131	125	2,058



Do as adversaries mightily, but eat





do in law & Strive  
and drink as friends



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1875 Courthouse  
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