Underway

It was March 16, 2020, and Gov. Tom Wolf had just issued an order that nonessential businesses must close, including law offices. Like most of us, my law partner and I were stunned and unsure what to do next. Panic ensued among us and our staff. Our office in downtown Pittsburgh would be closed to us and to our clients.

Questions raced through our minds. What do we do about our clients’ cases, the mail, our files and our office equipment? How will we conduct our day-to-day business? Can we conduct our day-to-day business? How will we file court documents?

We packed up some boxes of files and essential supplies, pulled our cars around to the front of our office building, loaded up and drove home. We set up our home offices and wondered how long this would last. We equipped our office staff with laptop computers and hobbled our way forward. After a few days of home office work, I decided to “go incognito” to retrieve our mail. I dressed inconspicuously, jumped into my car and drove into downtown Pittsburgh. The highway was empty. Grant Street was empty. In the middle of a weekday afternoon, I was able to do something very unusual — I parked on the street directly in front of the Gulf Tower on 7th Avenue, downtown. I entered the empty building, took the elevator to the 17th floor, collected our mail and immediately left. I was relieved to have the mail in hand but still plenty worried about how we would complete the work clients had put their trust in us to handle.

Soon, the PBA formed its COVID-19 Task Force and began to circulate information about new court rules and guidelines. There were plenty of tips for conducting remote lawyering and lots of guidance about weathering the COVID storm.

The PBA also formed a Joint Task Force on the Continuity of Delivery of Legal Services. Judge Thomas Vanaskie, retired from U.S. Court of Appeals for the 3rd Circuit, was appointed chair. The work of this task force over the ensuing months culminated in the release of a comprehensive report with numerous recommendations on maintaining our system of justice. One of those recommendations was that “a joint task force involving the Legislature, the courts, the organized Bar and the general public should be formed to find a way to establish a uniform electronic case filing system for Pennsylvania.”

Public access to our court dockets is an essential part of our judicial system. We have learned, now, of course, that there are safe and efficient ways to have access that do not involve a trip into the courthouse.

If you handle litigation in our federal courts, you can sit at your computer and have access to court dockets across the country. If you practice law in Texas or in Michigan, you can sit at your computer and have access to court dockets and file papers electronically. But if you are sitting in Westmoreland County, you cannot access the court dockets in neighboring Fayette County.

In Pennsylvania, our 60 judicial districts represent 60 individual fiefdoms. They are not unified. They are not operating the way a 21st century unified judicial system ought to operate.

Let’s change that. Let’s move Pennsylvania’s courts of common pleas into the 21st century.

A new PBA task force has been created to study and develop a way that Pennsylvania might develop a statewide electronic filing and retrieval system. This new PBA Task Force on Statewide Electronic Filing and Retrieval is co-chaired by PBA Past President Sara Austin and Judge Carl Solano, who is retired from the Superior Court.
Given the technological complexity, the funding requirements and the political obstacles that this task force will face, it may take a while. But we are committed to the task, we have a goal in sight and we have a committed group of PBA lawyers and judges working hard to move Pennsylvania forward by making our courthouse dockets electronically available and accessible.

Another new project involves a partnership between the PBA Law-Related Education Committee and Film Pittsburgh’s Teen Screen Program. The mission of Film Pittsburgh, a nonprofit entity, is to advance independent film as an art form and educational tool. Its Teen Screen program curates independent films from around the world that deal with social justice issues. The films are screened for high school students, and specially invited Teen Screen volunteers engage the students in discussion about the film following the screening.

Recently, Teen Screen obtained the rights to the documentary film *Youth v. Gov* (https://www.youthgovfilm.com). This film chronicles the federal case of * Juliana v. United States of America*, a lawsuit brought by high school students in Oregon claiming that the federal government’s actions over the last 60 years have contributed to climate change. The case has wound its way from the district court to the 9th Circuit to the U.S. Supreme Court. The film presents an opportunity for volunteers from the PBA to go into the classroom to teach a civics lesson to high school students about the way our civil justice system works.

PBA lawyers and judges, including those from the Environmental Law Section and the Civil Litigation Section, are volunteering for the Teen Screen program, teaching future generations about our civil justice system and stressing the importance of an independent judiciary as an essential tool to maintain our democracy.

Let’s spread the Teen Screen program and our PBA volunteers throughout our Pennsylvania high schools. Contact your local high school and have them get in touch with Teen Screen at https://filmpittsburgh.org/pages/teen-screen to schedule a screening of *Youth v. Gov*. Then stay tuned for updates on the electronic filing initiative, our partnership with Teen Screen and other PBA programs. ⚖

Jay N. Silberblatt
PBA President

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