



## **FOX CHAPEL DEMOCRATIC COMMITTEE 2025 JUDICIAL CANDIDATE QUESTIONNAIRE**

### **PART 1:     INTRODUCTION**

As you know, there are a large number of candidates for an unusually high number of judicial vacancies within the Allegheny County Court of Common Pleas in 2025. The Fox Chapel Democratic Committee (FCDC) believes that citizens of Fox Chapel and those of surrounding communities as well voters within Allegheny County in general would benefit from learning more about the candidates, so that their choices in upcoming elections can be as informed as possible. Therefore, FCDC has developed a Judicial Candidate Questionnaire and is asking each judicial candidate to complete and return it, so that your responses can be distributed as widely as possible.

FCDC intends to:

- Share your responses with Democratic committees of other communities in our region;
- Share your responses with the citizens of Fox Chapel and to individuals within Fox Chapel School District, and encourage other area committees to do so;
- Publish your responses on FCDC's website and seek to have them published on the Allegheny County Democratic Committee's website as well;
- Publish them on FCDC's social media pages.

### **PART 2:     INSTRUCTIONS**

Please respond to the questions on the following page and return your written responses to *foxchapedems@gmail.com* on or before **Friday, February 14, 2025**.

This form is in Word format, so responses may be typed directly under each question.

Please answer each question, including subparts, as completely as possible; however, please keep responses clear and reasonably concise so they are understandable and useful to individuals who may not have a background in law.

## QUESTIONNAIRE

CANDIDATE NAME: Bryan Neft

DATE: February 17, 2025

### **1. Judicial Philosophy and Temperament**

Judges make decisions in high-stakes and emotional situations. How do you stay fair and calm under pressure? Share an example from your career.

The whole point of having a lawyer to represent a party is to have someone who is not emotionally invested in the dispute dispense objective advice to the client about the pros and cons of the dispute and to represent them zealously. Without the emotional component, the chance of becoming distracted by emotions is minimized. That is not to say that lawyers don't have moments when the adrenaline is flowing and pressure from the case or the client doesn't exist. In my own experience, through getting to know my clients, being open and honest with them and working to understand their positions, I, too, become invested in doing right by my clients. In any given case, the client, with my input sets the goals of the case and I then work to achieve those goals.

The practice of law can be tense and time consuming. There is an old saying that the law is a jealous paramour. That means putting in the time needed to prepare your client's case. That places pressure on an attorney. Dealing with emotional outbursts from opposing counsel or from judges creates pressure. But, if you never take your eyes off of your client's goals, everything else is really "noise." I deal with it, get it over with and move on.

In my practice, I have appeared in front of one judge who constantly and unfairly berated attorneys as a means to maintain control over his/her courtroom. As distasteful and unfair as it was to have a judge yell at me, it didn't matter if I was able to achieve my client's goals. Anything the judge said, however, distasteful, rolled off of me and I moved on. I rarely take it personally, because I never take my eyes off the goalpost.

### **2. Commitment to Judicial Ethics**

Judges must avoid conflicts of interest and undue influence. How would you handle a situation where a friend or campaign donor asks for special treatment in your courtroom?

- a. Have you had this experience, and what was your response?
- b. Did you disclose it to an ethics body or to law enforcement? Why or why not?

All parties that come to court are entitled to dignity and respect, as well as notice and an opportunity to be heard. They are not entitled to special treatment. Judges are bound by the canons of judicial conduct. Those rules prescribe how to handle conflicts of interests and potential biases that may exist, particularly where relatives, friends or donors may be involved. A judge has to be proactive in identifying potential conflicts to see if they, in fact, exist, and determine whether he/she may continue hearing the case. Since I have never served as a judge, I have never experienced such a conflict.

Were I to be elected, I would keep a list of those friends, colleagues, donors and former clients that might create a potential conflict and if one of those parties were in a case before me, I would review the case to determine if recusal was necessary. Under no circumstances, would I afford any party with relief that was not countenanced under existing law, rules or procedures.

### **3. Accessibility and Fairness**

a. Judges must ensure everyone can participate in the legal process. How will you make your courtroom accessible to people without lawyers?

b. Every person has conscious and/or unconscious biases. How do you recognize and suppress those biases in yourself, so that you can deal with all parties fairly and dispassionately? Give examples of how you've dealt with this issue.

a. Many individuals represent themselves in court without lawyers out of necessity because legal fees are high. Were a party to come to my courtroom unrepresented, I would do my best to explain the process to the litigant and if I thought that help was available from any type of legal assistance program I would attempt to refer the party to that program. However, everyone is entitled to equal justice and that requires that parties follow the rules as needed to have their case adjudicated. Justice at times requires leniency on procedural issues so that the substantive dispute is heard.

b. For many years, I have been a leader in the Allegheny County Bar Association and served as its President from 2018-19. During that time, I have advocated for bias training for the Bench and the Bar. I wrote one of my monthly "President's Messages" on the topic of implicit bias (attached). I have also taken many courses through the bar association on the topic of recognizing implicit biases in my practice and in the courtroom. Learning about implicit biases through courses and discussions with colleagues has caused me to think consciously about how my biases may impact me and how to leave them aside. I deal with these issues when dealing with individuals who are unknown to me. As an attorney, I have to listen to the issues as they present

them and make sure they afforded the opportunity to be heard. Frequently, I challenge my own thoughts about the case by hearing the issues and how they dealt with them.

**4. Describe the types of cases you've tried/presided over**

List 3-5 examples of cases (anonymously) in which you've been involved as counsel or judge, and that you believe inform or enhance your ability to serve as a judge. Include why/how these experiences influenced you.

1. I represented parents who sought insurance benefits for the care of their prematurely born baby that an insurance company denied. The Plaintiff lived in Ohio across the river from Wheeling, West Virginia. We filed this claim in the Northern District of West Virginia against the insurer even though the hospital services they refused to cover were rendered in New York. I was successful in having the Court retain jurisdiction and venue over the defendant based upon nationwide service of process and the convenience to the Plaintiff. The case settled for an amount that satisfied the outstanding hospital bills and paid my attorney fees. This was one of my first cases in private practice and I was so happy that I could help parents in financial distress so that they did not have to pay hospital expenses that should have been covered by insurance.
2. I represented a Defendant who was charged with driving under the influence of alcohol. I represented the defendant at the preliminary hearing, and later in the Commonwealth's appeal of an order suppressing evidence of his driving under the influence of alcohol because the transit police officer who arrested him was outside of his jurisdiction. I argued the case to a Superior Court panel that *sua sponte* referred the case to the full court for consideration. I argued the case again to the *en banc* panel. That panel reversed, finding that the police officer was within his jurisdiction as long as he was on duty at the time of the arrest. I filed a petition for allowance of appeal to the Pennsylvania Supreme Court, which was granted. I briefed and argued the appeal before the Pennsylvania Supreme Court. My argument was that the jurisdictional statute was more nuanced, and restricted the authority of transit police to a greater extent than the Superior Court's "on duty" standard. Although the Supreme Court agreed with my interpretation of the jurisdictional statute, they carved a narrow exception that found the police officer was within his jurisdiction as long as he was protecting himself and his squad car. The Supreme Court therefore affirmed the Superior Court. I was able to take this case all the way through appeal to the Supreme Court of Pennsylvania. And, although my client did not prevail in the end, I was successful in establishing standards that apply to transit police officers to this day.

3. I represented a health care provider in a lawsuit that sought to enjoin its merger with another hospital on antitrust grounds. This was the largest case that I ever litigated. My role was to supervise the document production and review, and to outline the applicable antitrust law regarding hospital mergers. The document review alone involved approximately fifteen to twenty attorneys reviewing the documents over several weeks. The number of documents was in the hundreds of thousands, which then had to be reviewed and refined for relevancy, privilege and confidentiality. The case concluded with the entry of a consent decree that allowed all health insurers continuing access to the merging hospital. Working on this case was exhilarating, and it sealed my passion for antitrust jurisprudence. It was also a terrific result for the community.
4. My client, a broker of raw materials to the steel and other industries, sued a shipping company responsible for transporting a load of calcined carbon pitch coke. During the transport, the load was contaminated with fresh corn kernels that rendered the load unusable. My client sued the shipping company for damages. The Court rendered a verdict for my client. I began working on the case several months before trial and was responsible for deposing key witnesses. I was also responsible for briefing summary judgment motions, particularly on Federal Rule of Civil Procedure 17 governing “real parties in interest.” The court ultimately allowed the case to go forward finding that the Plaintiff was the “real party in interest.” I was associate counsel at trial and was responsible for ensuring that all trial materials were available and ready for trial. I also prepared witnesses to testify and presented testimony at trial. Because of the favorable results, achieved, I continue to represent the client to this day on a variety of matters concerning the business.
5. I represented a caretaker in disputes with the Administratrix of an estate over bequests the decedent made to the caretaker in his will. The administratrix of the estate brought a private criminal complaint against the caretaker for theft. The case was dismissed on motion I made based on the statute of limitations prior to the preliminary hearing.

I had been representing the caretaker in a dispute with the decedent’s family over bequests in the decedent’s will, which the Administratrix refused to honor. There were separate proceedings in the Orphan’s Court that addressed the estate disputes.

The case culminated in criminal charges being brought against the caretaker for theft many years after the alleged theft had concluded. I proactively filed a motion to dismiss based on the statute of limitations with the district judge assigned to handle the arraignment. He transferred the case to the trial court. At that time, the court administrator assigned the motion to a judge. I successfully argued that the charges were time-barred under the applicable statute of limitations. The critical issue related to application of the discovery

rule under the applicable criminal statute of limitations. Once the criminal charges were concluded, the Executrix had no choice but to pass on the property left to the caretaker. This was an example of my being able to help an individual with significant criminal exposure to overcome the exposure and ultimately obtain the property that was rightfully left to her.

## 5. **Improvements to the courts**

Courts are in the business of serving the public by providing the fair, efficient and prompt administration of justice.

- a. Do you perceive shortcomings in our current court system? Please provide examples.

Frequently I have questioned the procedures followed in the Allegheny County Court of Common Pleas that I believed had an adverse impact on case administration. For example, I have written about why it is important for cases to be assigned to one judge from inception to conclusion (attached). Under those circumstances, the judge becomes much more familiar and invested in the case to make sure that justice is served. Judges who are assigned to hear one stage or component of the case usually do not have that investment in the case.

- b. If elected, how would you go about correcting these problems? What specific steps would you take to improve the quality and delivery of results to litigants and the public?

Judges individually and collectively need to be introspective about court processes to see if they continue to make sense and then have the fortitude to make the changes if they don't. The best way to implement these changes is through discourse between members of the bar and members of the bench. This happens regularly in Allegheny County and I have been proud to be part of those discussions.

## 6. **Judicial selection process**

- a. Do you believe state judges should be elected? Why/why not?
- c. If not, what system do you believe should be used instead, and why?

There have been ongoing discussions since I was admitted to the bar about the proper way to elevate judges to the bench. The federal system relies on a process of vetting candidates, having them nominated by the President and them confirmed by the Senate. In Pennsylvania all commissioned judges are elected. Both systems are political and can be a mixed bag. I have always believed that "merit selection," which leaves it to elected officials to guide the appointment of judges (such as the federal systems) has an advantage in weeding out candidates who are not fit to serve. But it is not a foolproof system and a judge intent on being corrupt will find a way to be corrupt. Moreover, merit selection proposals in Pennsylvania frequently rely on the Legislature and its leaders to decide who should be

appointed rather than those in the profession who may have a better understanding of a candidate's capabilities. On the other hand, many judges who have been elected in the state system with low expectations for their performance, have surprised members of the bar for doing excellent work on the bench. I am confident that the election process in Pennsylvania has worked well, and I do not advocate for change at this time.



PRESIDENT'S MESSAGE

# Anecdotes drive home the need for anti-bias training

By Bryan Neft

Do you remember going for that first job interview, worrying about if your clothes were spot on, and your hair perfectly in place? When you submitted a resume to a firm, did you ever worry that your name looked too "ethnic" or that an organization you belonged to would skew the reviewer's opinion about you before they even got to know you and your talents?

Besides the health benefits of working out, why do so many of us break our backs at the gym to attempt to look good? I still strive for "six-pack abs" at the gym, perhaps as a fading sign of male virility, but more and more I seem to resonate with the T-shirt I see there pronouncing "Six-Pack Abs - Coming Soon." Unfortunately, our culture and our instincts ingrain us to believe that if we don't conform or match the ideals society promotes as acceptable or coveted, we are at a disadvantage. But in our hearts we know that people should enjoy our company, be willing to listen to us and accept us for who we are, lack of six-packs and all.

At this point, you're probably wondering what this has to do with the practice of law in Allegheny County in 2018. Fair question. The problem is, I still see too many examples of people in the profession being prejudged based on characteristics such as physical appearance, gender, race, age and sexual orientation.

About 12 years ago, I joined the Women in the Law Division Gender



Bryan Neft  
ACBA President

Bias Subcommittee. Despite education and our best efforts, we keep hearing a broken record of complaints against members of the bench and bar who engage in bias against women. Unfortunately, most of the complaints never escalate beyond our meetings because these lawyers have real-world concerns such as maintaining their jobs to feed their families. Last month, I wrote of the need for greater diversity in the profession. What many of us fail to recognize is the fact that bias can and does affect our lack of diversity.

Prior to the 2018 Bench-Bar Conference, the Women in the Law

Division sent a questionnaire to members of the division and members of the ACBA affinity groups (Homer S. Brown Division, LGBT Rights Committee, Hispanic Attorneys Committee, etc.) to understand some of the issues currently facing women and minorities in the profession. Below are some of the issues they identified:

- An associate who worked well with the partners at her firm left for maternity leave. Upon her return, she stopped getting assignments from the partners and her performance reviews suddenly indicated dissatisfaction with her work.
- Pay disparities between male and female associates with similar credentials.
- Instances of sexual harassment that firms refused to address.
- Exclusion of female associates from client golf outings.
- Slotting attorneys who are persons of color or LGBT to committees related to diversity/race/sexual orientation rather than to more "powerful" committees like compensation.
- Telling black attorneys that they got their job because they were black.
- Judges referring to women attorneys condescendingly as "young lady," while not referring to opposing male counsel as "young man."
- Judges excluding female attorneys from important pre-trial and trial discussions.

These stories are all from within the last five years reported by our colleagues. If you recognize the protagonist in any

of these scenarios, or if you recognize yourself as the protagonist, please keep reading. And even if you don't recognize any of them, please keep reading - it's just that important of an issue that no one should ignore.

It troubles me that over the last 30 years the stories haven't changed. Only the actors have changed. Women and minorities aren't getting the same opportunities as white men. In many instances, they probably aren't receiving the same pay for the same quality/quantity work. Women leave the profession at alarming rates because they continue to be vexed by obstacles not of their own making. If you don't believe me, believe the recent American Bar Association study "You Can't Change What You Can't See: Interrupting Gender and Legal Bias in the Profession," which was featured last month in the *New York Times* article, "Lawyers Say They Face Persistent Racial and Gender Bias at Work."

A mentor of mine once explained to me that life, and our careers, are full of unfairness. We can't stop all of the unfairness that exists in the profession. Certain women might get better opportunities than other women; just as certain men might get better opportunities than other men. But it doesn't mean that we shouldn't strive for a fairer or more just way of doling out opportunities, compensation and promotions.

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**PRESIDENT'S MESSAGE**  
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The solution, if there is one, is more complex than I have room for in this article; but let me suggest one thing that may help. This year, at the behest of our Women in the Law Division, the ACBA is embarking on a pilot program to include implicit-bias training in continuing legal education programs that are approved for continuing judicial education credits. We all have implicit biases. The point of the education is to help us to recognize those biases and call them out so that they don't interfere with objective decision-making. Please take one of these classes.

If you think that implicit-bias education is a bunch of malarkey, consider that the Corporate Equity and Inclusion Roundtable, in partnership with the City of Pittsburgh, has become a model for implicit-bias training and has been offering it to members of the public to sold-out crowds. It is my hope to offer this program to the members of the ACBA.

If we begin to understand our own limitations, and the fact that we have biases – as unintentional as they are – then maybe we can better understand how subconsciously we might be holding others back. If you don't believe that you have anything to learn from implicit-bias training, then at the very least tell your prospective clients and attorneys that you have no issues with gender or racial diversity. That, in and of itself, will speak volumes – because most people will understand you to be saying just the opposite. ■

visit us today at [www.ACBA.org](http://www.ACBA.org)

# WLD to celebrate 30 years on Nov. 29

By Amber L. Archer

On Nov. 29, the Women in the Law Division will hold a grand celebration to commemorate 30 years of educating the legal community on barriers that deny women the opportunity to achieve full integration and equal participation in the legal profession.

As with all milestones, the anniversary is an invitation to look back upon the journey. The celebration will highlight the WLD's many accomplishments throughout the years – including the creation of the Gender Bias Subcommittee, the creation of the model anti-sexual harassment policy and parental leave policy and the development of the Anti-bias Continuing Judicial Education Pilot Program.

Although the WLD is a division these days, it started out as a committee.

Under the leadership of bar President Tom Hollander, the ACBA Board of Governors agreed in the fall of 1988 that women attorneys were experiencing the glass ceiling and directed the creation of a committee to address the matter. Hollander put together an impressive committee with many women attorneys, leaders of the bar and judges such as Eugene B. Strassburger III and Livingstone M. Johnson.

Carol McCarthy was the first chair of the WLD. She says that despite the progress that has been made over the past three decades, there's more to be done.

"The atmosphere in 1988 was much different. The issues were 'in your face.' While many of the issues that were the impetus for creation of the



## 30<sup>th</sup> ANNIVERSARY — CELEBRATION —

committee have been addressed, many remain and have become more entrenched and harder to address."

Soon after its inception, the Women in the Law Committee began working to address gender bias in the legal profession. In 1989 the Gender Bias Subcommittee was formed. Two years later, the committee conducted the first survey on gender bias in the county legal profession, which ultimately led to the formation of the Institute for Gender Equality. The committee would later become the Women in the Law Division in 2003.


Currently the largest ACBA division, the WLD has more than 2,000 members and plans a multitude of programs each year to serve its members and the ACBA. The WLD hosts an annual spring speaker event, monthly Lunch-and-Learns and the Pathways to the Bench Series, a program intended to demystify the path to a career in the judiciary and encourage more women to run for a judicial position.

**If you're going**

**What:** WLD 30th Anniversary Celebration and Holiday Party  
**When:** Thursday, Nov. 29, from 5 to 7 p.m.  
**Where:** Rivers Club, downtown Pittsburgh  
**How much:** \$20 admission includes heavy hors d'oeuvres, a complimentary drink ticket, soft drinks. There will be a cash bar.  
**FYI:** Open to all ACBA members and guests; child care for ages 2 through 11 is available through Flexible but requires pre-registration by emailing David Blaner at [dblaner@acba.org](mailto:dblaner@acba.org). The WLD will not have a separate holiday party this year.  
**Registration:** [ACBA.org](http://ACBA.org)

Current WLD Chair Erica Laughlin seeks to address the diverse needs of women in the profession.

"The WLD is a place for support and camaraderie, as well as education and professional development," Laughlin says. "Whether that's creating programming for women transitioning back into the practice following leave, hosting a roundtable lunch discussion for new moms or spearheading a task force to increase education surrounding implicit bias – the WLD has been on the cutting edge of women's issues for 30 years – a tradition we intend to continue." ■



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PRESIDENT'S MESSAGE

# Plans underway to improve Civil Division efficiency

By Bryan Neft

Eighteen years ago, my friend and predecessor, Amy Greer, wrote a President's Message entitled, Local Court Litigator's Lament, in the Nov. 10, 2001, *Lawyers Journal*. In it, she posited that the Civil Division of the Court of Common Pleas ought to move from a master calendar system to an individual calendar system. That piece was both lauded by members of the bar who sought a streamlined trial court system and criticized by members of the civil division bench who had just spent the previous five years working hard to eliminate the backlog of cases that plagued the court.

Fast forward to the 2019: we still live under a master calendar system, and the civil division in many ways is the maze that it has always been. I still rely on my Allegheny County Court of Common Pleas Civil Practice Manual (PBI) – which I refer to as the “Book of Brilliant Things” – to understand what should be presented to the motions judge, or the special motions judge, or the calendar control judge. Do I have to file something with Tony Bagnatto? And how do I explain this maze to my paralegal, who just wants me to leave her alone? Fortunately, gone are the days when I had to see Scotty Sullivan. I either had too many cover sheets or not enough cover sheets. “Bring me three more copies



Bryan Neft  
ACBA President

of the face sheet, and I'll file it for you,” Scotty used to say. If it wasn't that, it was “why did you bring me all of these copies of the face sheet?” Nothing I did was correct, even if it was. But, I've learned to live with the system, understanding in many ways that there is a method to the madness. And many of the judges that I appear in front of frequently know that I am not afraid to say if things should be done differently. I think (hope) that they take my constructive criticism

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### CASES ASSIGNED TO INDIVIDUAL DOCKETS

- Abandoned & Blighted Property, Conservator at Act 135 – Walko
- Allegheny County Beverage Tax – Colville
- Asbestos – Connolly, Klein, Walko
- Class Actions – Colville, Ward
- Complex and Commerce – Colville, Ignelzi, Ward
- Construction – Hertzberg
- Election Law – James
- Eminent Domain – Della Vecchia
- Housing Agency Appeals – Hertzberg
- Local Agency Appeals (Statutory Appeals) – Assigned by Calendar Control Judge
- Miscellaneous (Declaratory Judgment, Equity, Mandamus, Partition, Quiet Title, Quo Warranto) – Assigned by Calendar Control Judge
- Mortgage Conciliation – McVay
- Office of Open Records/Right to Know Appeals – O'Brien
- Pa. Liquor Control Board – Colville
- Prisoner Rights – Hertzberg, Initial Screenings to Ignelzi
- School District – Walko
- Structured Settlement Approvals – Ward
- Toxic Substances – Colville
- Water Exoneration Hearing Board Appeals – Colville
- Zoning – James

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## 2017-18 ACBA, ACBF financial statements now available online

The combined financial statements for the Allegheny County Bar Association and the Allegheny County Bar Foundation for fiscal year 2017-18 are available for review.

The combined financial statements have been posted to [www.acba.org](http://www.acba.org) and can be accessed via the "About" drop-down menu. The audit was completed by Mock Bosco & Associates, P.C., of Pittsburgh. The ACBA and the ACBF received an unmodified opinion letter from our auditors. This is the highest level of assurance given to an organization by a certified public accountant.

The statements are presented in a comparative format.

As of June 30, 2018, the ACBA had the following assets, liabilities and net assets (net worth).

- ACBA total assets – \$11,668,410;
- ACBA total liabilities – \$1,840,035;
- ACBA total net assets – \$9,828,375.

Additionally, the 2017-18 financial report of just the Allegheny County Bar Foundation is available at [www.acbf.org](http://www.acbf.org). It can be accessed via the "About" drop-down menu. ■

### Clarification

To more fully represent the scope of the article, the archived version of Catherin Wadhvani's Dec. 21, 2018, *Lawyers Journal* has been re-headlined as "Ways that immigration and health law intersect."

### PRESIDENT'S MESSAGE continued from page 3

in the spirit intended – to improve the process.

Last year, though, a couple of things happened that led me to speculate that larger change might be coming. The first was the Superior Court's decision in *Trigg v. Children's Hospital of Pittsburgh of UPMC*, 187 A.3d 1013 (Pa. Super. 2018) in which the Superior Court refused to give deference to the court's ruling on a juror challenge for cause when a judge hadn't been present for the voir dire. The other was a report prepared by a joint committee comprised of members of the Academy of Trial Lawyers of Western Pennsylvania and the ACBA's Civil Litigation Section concerning jury selection. The joint committee issued a report calling on the court to begin having a judge conduct the voir dire process. I thought that these two events could be the impetus for a move to an individual calendar system.

So, what better way to test my theory than to have a conversation with Administrative Judge Christine Ward. She quickly put to rest any idea that Allegheny County would ever have a true individual calendar system like the one that exists in federal court. And it is due, primarily, to the numbers: there are nearly 20,000 cases open each year and nine commissioned judges.

But, Judge Ward assures me that she has big plans to make the civil division more efficient and accessible. She realizes that not everyone can buy a copy of the *Book of Brilliant Things* (I get mine free because I am one of the authors). First, there is already a long list of cases that are eligible for individual dockets (see the information

### MOTIONS AND OTHER ASSIGNMENTS

- Administrative – Ward
- Calendar Control – Hertzberg
- General Motions – Rotates
- Motions (name changes, petitions, title transfer) – Rotates
- Special Motions – Colville
- Special Name Changes – Ward

in the boxes that accompany this article on pages 3 and 6). For those that don't fall into one of those categories, Judge Ward always will entertain a motion to assign a case to a judge.

The court also is developing a Pathways or Early Intervention program based on recommendations Judge Ward received from the National Center of State Courts. That program would allow cases to be fixed on one of three tracks depending on their complexity. The court would hold a case-management conference and establish a case-management order with a discovery cutoff, deadlines for pretrial filings and a presumptive trial date.

In addition, she and Judge Alan Hertzberg are in the process of developing a housing court to handle all landlord-tenant and residential leased housing violation cases because there is a real correlation between eviction proceedings and habitability of the leased premises. Judge Ward also said she wants to install a help desk in the office of court records so that litigants and lawyers can get answers on how to navigate the system.

Alas, as Mick Jagger once sang, "You can't always get what you want."

Having a judge oversee the jury voir dire is problematic. The court isn't able to have judges participate in every voir dire. The court is encouraging most parties to engage in voir dire without a judge as usual. If the parties insist on a judge, the case may have to ride the trial list, be moved to a different date or trial term to accommodate the request or – on occasion – simply may be sent to pick on the day it is listed without a judge.

So, for those hoping for a complete revamp of the civil division to allow for individual calendar dockets, it's not happening. But, on the other hand, we are seeing some of the largest structural changes in the division in some time. As I am fond of saying ... baby steps. ■

To talk about these issues further, please contact ACBA President Bryan Neft at 412-325-3317 or [BNeft@spilmanlaw.com](mailto:BNeft@spilmanlaw.com).

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