

10 QUESTIONS

for Administrative Judge Margaret T. Murphy

FAMILY DIVISION, PHILADELPHIA COURT OF COMMON PLEAS

INTERVIEW BY SHABREI M. PARKER

Judge Margaret T. Murphy was appointed by the Pennsylvania Supreme Court as Administrative Judge of the Family Division of the Philadelphia Court of Common Pleas on December 1, 2014. Prior to her appointment, Judge Murphy had served as the Supervising Judge of Domestic Relations since 2006. In her 30-year career in Philadelphia's Family Court she also served as a Permanent Master in both divorce and support matters and then as the Deputy Court Administrator of Domestic Relations from 1996 until being appointed to the bench in November of 2000. Judge Murphy received her master of law in taxation from Villanova University School of Law, her juris doctorate from Widener University School of Law and her bachelor's degree from Chestnut Hill College.

SHABREI M. PARKER: Let us talk about the new Family Court building in all of its splendor, the Family Court Help Center, the case backlog and how it's been addressed and any other interesting story you want to share.

JUDGE MARGARET T. MURPHY: I think that the attorneys have been so pleased and delighted coming into the new Family Court that I've had several occasions where they've sent emails just saying "what a difference."

Recently, a few of the judges in the building, Judge Irvine and Judge Thompson, allowed some students to come in through the Philadelphia Bar

Association's Lawyer For a Day program. It was beautiful to be able to have a dozen students come into a courtroom and sit down. In the old courtrooms over at 34 South 11th St., you couldn't fit that many people in. It just wasn't feasible.

That is the truth. The other thing is that when you get into the courtroom, you feel like you're in a courtroom. And many of them have secure adjacencies directly next to the courtroom for the holding cells, so that incarcerated defendants can go directly from the cell block to the courtroom. Since we have individuals that

are defendants in protection from abuse petitions who are also being held on aggravated assault or attempted murder charges, we are now able to provide a much more secure setting for litigating the civil protection from abuse cases than what was previously available at 34 South 11th St.

You've spoken a lot about the domestic relations department. What is it like to have the reunification of the juvenile branch and domestic relations branch?

What we have done is really transformed the way we existed by now co-existing. The interesting aspect about that is that I believe each type of case brings a certain personality to it – be it attributable to the attorneys or the litigants. We now



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have a blend of our domestic relations cases along with our dependency and our delinquent cases, and that has been a very smooth transition – much to my surprise.

For example, your child custody case today can easily be your dependency case tomorrow. Or you can transform a dependency case into a custody case if you provide the right resources to the family so that they can be deemed to be fit and able to deal with their own situation, transferring that case back to the custody section. Custody cases can become dependency cases, because the resources were not available to a family who just needed help. Our next step, the big step, is going to be locating and securing resources for families, and making sure we help the families in Philadelphia benefit

from access to resources that they otherwise would have been isolated from until their children became the subjects of a dependent or a delinquent matter.

Since Philadelphia has such nominal filing fees, the courts don't have the finances to provide those sorts of resources. Do you foresee any way that we could get those dependency resources available sooner?

Everything that is provided as a resource, either through the statewide child support program or by DHS in dependency or delinquency matters, is regulated by some funding stream with strict legal terms and restrictions. So, as long as you can



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properly identify available preventive services and provide a family with access to those preventive services, or any other resources that are permissible for a family to access, you can open a door to resources that Family Court has never been able to previously provide to families in the domestic relations section.

Financial resources aside, I believe that we've got a resource that's just getting off the ground. I want to talk about the Help Center. I understand that the Help Center is a brain child for pro se litigants. How did it come about?

In 2009, I began participating as the representative of Family Court on the Civil Gideon Task Force. Part of that Task Force was for our Family Law Section and the court to come up with

a project that would benefit the citizens and the users of our system through our own Civil Gideon project.

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After struggling with various concepts for a few years, we were determined to develop a Civil Gideon project that would fit the practice of family law, that involves attorneys

who are already volunteering. So we finally decided to open the Help Center, to provide litigants with a place to acquire legal information, primarily regarding child custody cases. We started by making available in the Help Center sample forms and brochures for every type of domestic relations case. Going forward, we hope to add all of the forms for adoptions, another area where people come in to the courthouse and ask a lot of questions regarding procedure and process.

Then we had to figure out how attorneys could provide volunteer services, but not assume representation of an individual seeking information. Basically, our volunteer attorneys just give advice to litigants on the legal process. The reason that providing unrepresented litigants with information on the procedure became important was because of the volume of repeated



There are many more mandated reporters and as that continues, we anticipate that there will be a greater volume on our dependency caseload.

filings in custody cases that really were inappropriate filings, or filings that didn't give an attorney or an unrepresented person a clue as to what the petitioning litigants wanted or the purpose of the litigation. Currently, the Help Center is staffed daily with volunteer attorneys from noon to 3 p.m., who assist individuals seeking information regarding child custody cases.

Last year, there was a backlog of a few months that had led to a number of changes within the court, and I believe that it was addressed. A lot of those cases had been listed and the previous practice of scheduling litigants to come back and make their filings in a few months has dissipated. Tell me about how we're addressing all of those administrative hurdles now that we've gotten to this place.

Before we moved, we faced a backlog in processing our custody cases. Since we have relocated to 1501 Arch St., we've made it a budgetary priority to hire four additional custody masters, which will greatly enhance our complement of custody masters. We previously couldn't increase the number

of masters because we had no room to do so. We also want to see how we could better introduce the concept of mediation. Assuming people really want to pursue mediation, we would like to have the ability to provide it, if financially feasible to do so.

Right now, we do have mediation available, but not for the thousands of cases that we handle. What you have to anticipate when you introduce a concept such as mediation, is that you must be able to actually provide it. The other resource that we've never actually had even an opportunity to consider was parenting programs and whether or not we should start adopting that type of a program to give people an opportunity to be offered some training that could possibly prevent them from having to come to court for 18 years of their child's life to resolve their differences.

I was just going to ask you about what innovations you have, but it sounds like you have them in the pipeline.

Yes, we have quite a few. We have concerns about the

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I think I've always known that no matter how long or how well-versed you may be in any area of the law, there is always so much more to learn and so much more to understand.

dependency caseload, because there have been new changes in the law where now there are additional requirements of more people who are mandated to report what could be abuse. There are many more mandated reporters and as a consequence, we anticipate that there will be a greater volume in our dependency caseload. We've also decided to hire a new dependency master who we want to assist us in focusing on our permanency initiatives. We are also making it a priority to identify and resolve our uncontested termination cases to avoid children unnecessarily languishing in placement. We want all kids to have a fair shot at a future.

I know that you take your role as Administrative Judge very seriously, and it sounds like you have a lot of great ideas. Did you see the potential for such growth coming when you took on the position?

I knew if we could only get to a place, a location where we could combine the courthouses and have a little spare room to grow, that the opportunities would open. I think that having struggled so long, having spent 23 years of my life at 34 South

11th St., I'm anxious for the opportunity to have a chance to grow and a real chance to see how we could make family court even better. The possibilities are endless as long as you're willing to reach for them.

However, if one of the goals we set doesn't work, we will regroup and work toward reaching another goal. No one has the perfect answer and the interesting part of this job is that there is so much to learn. No matter what you know, there's so much you don't. Each day, a new issue arises that can really chart your course where you otherwise never thought you would go – be it a change in the law or be it just a development in a change of philosophy for kids.

How have the other judges responded? Have they met with the same kind of innovation and inspiring attitudes?

Most of our judges have been in their respective sections for several years, and they work extremely hard every day. I think they are driven by this line of work and most of the judges here love this work.

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Is there anything that you know now about your role as Administrative Judge that you wish you'd known when you were going into it?

I can't say that there's anything I wish I knew. I think I've always known that no matter how long or how well-versed you may be in any area of the law, there is always so much more to learn and so much more to understand. And the thrill of this position is that there is a whole new chapter waiting for me to try and open it, study it, conquer it and do something with it so it's better than it was when I started the book. That's what I'm excited about. There is just nothing dull about this line of work. It might be because people are so interesting, and they are. ■

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