



COMMONWEALTH OF PENNSYLVANIA
NINTH JUDICIAL DISTRICT
CUMBERLAND COUNTY

M. L. EBERT, JR.
JUDGE

COURTHOUSE
ONE COURTHOUSE SQUARE
CARLISLE, PA 17013-3387
(717) 240-6292
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Biography of M. L. Ebert, Jr., Judge

PERSONAL:

Born April 10, 1948 in Allentown, PA

Married to Anne Ebert, (Director – Cumberland County Sexual Assault/Rape Crisis)

EDUCATION:

The Citadel, Military College of South Carolina (BA with Honors), 1970

Boston University (MA), 1976

Dickinson School of Law (JD), 1980

POSITIONS HELD:

Assistant Public Defender, Cumberland County 1980

Private Law Practice 1981

Deputy District Attorney, Dauphin County 1982-84

First Assistant District Attorney, Cumberland County 1984-89

Executive Deputy Attorney General, Criminal Law Division 1989-95

Cumberland County District Attorney 1995-2005

Judge - Ninth Judicial District – Court of Common Pleas 2006-Present

MILITARY SERVICE – United States Army:

Captain, U. S. Army Intelligence 1972-77

Awards:

Meritorious Service Medal
Army Commendation Medal
National Service Defense Medal
Senior Paratrooper Award

PROFESSIONAL ORGINIZATIONS:

President – Pennsylvania District Attorney's Association 2004-2005

American Bar Association (Fellow)

Criminal Justice Section Council Member 1993-1996

Criminal Justice Standards Committee 1990-1996 (National Association of
Attorney Generals Representative)

Pennsylvania Bar Association (Fellow)

Cumberland County Bar Association

PUBLIC SERVICE:

Pennsylvania Municipal Police Officers Education & Training Commission 1993-1996

Pennsylvania Deputy Sheriffs Education & Training Board 1993-1996

President, Keystone Area Council, Boy Scouts of America 2000 – 2002

Chairman, United Way Campaign of Cumberland County 2004

Past Commander, American Legion Post 101

Adjunct Faculty Dickinson School of Law 1995-2004

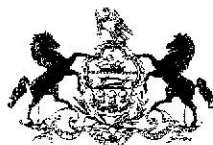
AWARDS:

Eagle Scout, Silver Beaver, Vigil Honor – Order of the Arrow

Trial Advocacy Award – National Association of Government
Attorneys in Capital Litigation

Outstanding Service Award (Law Enforcement) - Pennsylvania Coalition Against Rape
1999 and 2004

National Order of Barristers



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Testimony of Judge M. L. Ebert, Jr.
Cumberland County
Hearing on Alternatives to Driver's License Suspension, including Occupational
Limited License

I. The Problem

A. Mandatory Treatment Court Requirements

1. Weekly Court Sessions
2. Mandatory Drug or Alcohol Treatment
3. Mandatory Drug/Alcohol testing 2 times per week
(sometimes more often)
4. Minimum 4 NA/AA meetings per week
(Phase 1 requires 90 meetings in 90 days)
5. Mental Health Counseling/medication checks
(1/3 of participants have dual diagnosis)
6. Mandatory Work Requirements (40 hours/week)
and/or Community Service
7. Budget Counseling
8. Intensive Case Management

B. Most suburban/rural counties have very limited public transportation.

C. In excess of 50% of participants (currently 61% in Cumberland County) have suspended drivers licenses with little hope of obtaining one in the near future.

D. The Treatment Court Program becomes so vigorous that many people simply opt to serve jail time, thereby not attempting to reform their lives, but also adding to the prison population problem.

E. In reality, persons who face long periods of suspension consider the risk of getting caught to be minimal and therefore the convenience and temptation of driving illegally exceeds the fear of any additional punishment.

II. The Positives of Granting Problem Solving Court Limited Licenses

- A. Such a license provides a great incentive to begin the hard work reforming one's life.
- B. The problem solving court license can act as both an incentive and sanction in weekly tailoring of the candidate's program.
- C. The license provisions can be modified by the Problem Solving Court Judge with minimal administrative or hearing time.
- D. The problem solving court license never goes away. If a person commits a serious violation calling for suspension, all of the prior suspensions will be reinstated.
- E. Having a driver's license makes a person more employable and consequently the Commonwealth benefits by the payment of fines, costs, and child support.

III. Practical Considerations

- A. This program is not a wholesale reinstatement of driving privileges to a large number of individuals.
 - 1. In Cumberland County, with a population of 229,000 people, we have generally around 30 participants.
 - 2. The sad reality is that this program is very difficult and in excess of 50% of the initial participants fail. On the other hand, those who graduate are truly different people...hardworking and substance free.
- B. The District Attorney's have a veto over all applicants to Treatment Court. Accordingly, those that some groups hold to be "dangerous" simply do not get considered or approved for Treatment Court.

IV. Conclusion

- A. Treatment Court is very difficult.
- B. People with long histories of substance abuse need to totally change their lives. This requires a daily commitment to being drug/alcohol free and an understanding that an ordinary life requires daily work.
- C. For most people, being employable requires the ability to drive an automobile.