

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE RESOLUTION

No. 877 Session of  
2010

INTRODUCED BY SCHRODER, VEREB, BELFANTI, BENNINGHOFF, CLYMER,  
COHEN, D. COSTA, CREIGHTON, CUTLER, DENLINGER, DePASQUALE,  
EVERETT, GINGRICH, GROVE, McILVAINE SMITH, MILLER, MOUL,  
D. O'BRIEN, RAPP, REICHLEY, ROAE, SWANGER AND FLECK,  
JULY 2, 2010

REFERRED TO COMMITTEE ON JUDICIARY, JULY 2, 2010

A CONCURRENT RESOLUTION

1 Urging the Auditor General of the Commonwealth, with the  
2 assistance of the judicial auditing agency of the  
3 Commonwealth unified judicial system, to conduct an in-depth  
4 investigation and audit of the expenditure of public funds,  
5 for the Philadelphia Family Court building project,  
6 particularly the estimated \$12 million in alleged costs and  
7 fees which need to be traced and audited, and to require a  
8 report disseminating the findings and allocations of all  
9 funds expended to date.

10 WHEREAS, Allegations of fraud and abuse of power undermine  
11 the public trust and may constitute a waste of taxpayer funds,  
12 the degree of which cannot be determined without a full and  
13 complete investigation and financial audit; and

14 WHEREAS, The members of the General Assembly, individually  
15 and on behalf of the constituents they represent, are concerned  
16 with the potential abuse and misuse of public funds under the  
17 guise of a public building and urban improvement project for the  
18 Philadelphia Family Court; and

19 WHEREAS, The alleged fees and costs of the Philadelphia  
20 Family Court project are estimated to involve \$12 million of

1 public funds; and

2 WHEREAS, The process upon which the development contract for  
3 the Philadelphia Family Court project was awarded, with or  
4 without the use of a bidding process, has come under question,  
5 especially as to suggested improprieties; and

6 WHEREAS, The public is entitled to information with respect  
7 to how the public funds were used in the furtherance of the  
8 Philadelphia Family Court project so that future projects can  
9 avoid raising similar concerns; and

10 WHEREAS, Substantial questions have been raised about the  
11 preexisting relationships and the interaction between the  
12 parties who have been involved in the purchase of the land, the  
13 development project and the termination of construction on the  
14 Philadelphia Family Court building; and

15 WHEREAS, It is important to improve the overall decision-  
16 making process and increase the efficiency of building projects  
17 in this Commonwealth, and it is imperative that public funds are  
18 used in an efficient manner in the best interests of the  
19 citizens of this Commonwealth; and

20 WHEREAS, It is important to uncover fraud or misuse of public  
21 funds, if any has occurred, during the Philadelphia Family Court  
22 project; and

23 WHEREAS, The Auditor General of the Commonwealth is uniquely  
24 qualified to perform, either independently or in conjunction  
25 with a judicial auditing agency of the Commonwealth unified  
26 judicial system, an audit of the Philadelphia Family Court  
27 project; and

28 WHEREAS, To the extent the Auditor General does not have  
29 clear authority to conduct such an audit, it could be  
30 accomplished with the assistance of the judicial auditing

1 agency; and

2 WHEREAS, The present situation with the Philadelphia Family  
3 Court project is such that it requires a special audit be  
4 performed to protect the public's financial interests in the  
5 building project; therefore be it

6 RESOLVED, (the Senate concurring), That the House of  
7 Representatives urge the Auditor General of the Commonwealth, in  
8 conjunction with the judicial auditing agency of the  
9 Commonwealth unified judicial system, to conduct a thorough  
10 investigation and audit of expenditure of public funds for the  
11 Philadelphia Family Court building project, the source of the  
12 funds used in the project and the expenditures which have  
13 already been made or approved in furtherance of the acquisition,  
14 building and development of the Philadelphia Family Court; and  
15 be it further

16 RESOLVED, That the audit address the costs of any ongoing  
17 efforts to build the Philadelphia Family Court building,  
18 including any duplication in charges due to the change in the  
19 parties involved in the construction project; and be it further

20 RESOLVED, That all contracts awarded absent a bidding process  
21 and agreements which involved the exchange of public funds for  
22 the construction of the Philadelphia Family Court building be  
23 investigated and analyzed for any improprieties, duplications,  
24 fraud or any other abuse of the public trust or misuse of public  
25 funds; and be it further

26 RESOLVED, That the Auditor General, with the assistance of  
27 the judicial auditing agency, be urged to issue a report with  
28 findings on the financial impact, value of services provided and  
29 future additional expenditures which will be required to  
30 complete the building project for the Philadelphia Family Court

1 and to report to the General Assembly as soon as possible but no  
2 later than one year following the adoption of this resolution.