

IMMIGRANTS COMPARE NATIONS' IDEAS OF LAW < THE 40, FROM RUSSIA, TALKED WITH A PHILADELPHIA JUDGE ABOUT CONCEPTS OF LAW.

The Philadelphia Inquirer

JULY 12, 1996 Friday SFCITY EDITION

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The Philadelphia Inquirer

Found on Philly.com

Section: CITY & REGION; Pg. B02

Length: 555 words

Byline: Melissa Milewski, INQUIRER STAFF WRITER

Body

"How do you make a fair decision? Do you use law books or your judgement?" asked the casually dressed man sitting in the last row of the courtroom.

"It's hard to say," said Municipal Court Judge Harry Schwartz. "Probably both. I listen to both parties' testimonies and then I make a decision on the evidence. If they don't like the decision, they can appeal to a higher court and try again. We're very generous in this country."

The man, who appeared to be in his 50s, shook his head and then smiled.

After touring the Liberty Bell, Independence Hall and the National Museum of American Jewish History, more than 40 Russian immigrants went to Judge Schwartz' courtroom for a dialogue on the law, particularly on differences between the U.S. and Russian court systems.

Jewish Family and Children's Service of Philadelphia, a nonprofit organization in the Northeast, which assists refugees and immigrants coming here to live, took the visitors to see Judge Schwartz.

Merle Salkin, a volunteer with JFCS, led the tour.

"It's critical that these people not be afraid of the legal system," said Schwartz. "People need to understand what the system can do for them."

Schwartz, a civil court judge for less than two months and a Philadelphia lawyer for 35 years, explained that in U.S. criminal courts, individuals are presumed innocent until proven guilty.

Translator Irma Simuni relayed the judge's words to the group, who continued to nod in agreement.

In Russia, the visitors said, it's quite different. You are guilty until proven innocent.

Schwartz also explained that an individual must be charged within 72 hours after being arrested, and that there must be probable cause and usually a search warrant.

So, someone asked, are people usually happy with the decisions of guilt or innocence?

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"It's not my job to determine or care who is happy," said Schwartz. "I do what I think is fair."

How do winners in civil cases make sure they get the money promised them?

"I enter the monetary value as a judgment, then the party goes to the sheriff and [the sheriff] moves to collect the money," Schwartz said.

After the questions, Schwartz shared some of his background. His parents were born in Russia; his mother in a small rural town named Vynnytsya and his father in Kiev.

"I don't speak any Russian," said Schwartz. "My parents used to speak in Russian when they didn't want me to know what they were talking about."

The visitors cheered and clapped their hands, and then invited him to return to visit those places.

Most of the immigrants arrived in the United States in April and May, and continue to explore their new country.

When asked how they liked Philadelphia, most just smiled. Bina Schwartz, who arrived only two months ago, said, "Our trip has only begun. It's really hard to say right now." [She is not related to Judge Schwartz].

Alexei Duchovniy, who arrived in April, said the best thing he saw in Philadelphia was the Liberty Bell. "I saw it [the Liberty Bell] on a postcard once and I always wanted to see it. Today I got to see it in person."

As for the differences between the Russian and U.S. court systems, they didn't have much to say.

"The best approach is not to deal with the court system," said newly immigrated Marat Krasnogor. "Just stay out of trouble."

Graphic

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1. Judge Harry Schwartz addresses a group of Russian immigrants in his Municipal Court room in Philadelphia. The judge explained to them that individuals are presumed innocent until proven guilty. (The Philadelphia Inquirer, APRIL SAUL)

Classification

Language: ENGLISH

Subject: JUDGES (90%); PROBABLE CAUSE (89%); IMMIGRATION (88%); APPEALS (78%); APPEALS COURTS (77%); ARRESTS (76%); LAWYERS (75%); LAW COURTS & TRIBUNALS (73%); NONPROFIT ORGANIZATIONS (73%); SEARCH WARRANTS (73%); ASSOCIATIONS & ORGANIZATIONS (72%); JEWS & JUDAISM (69%)

Company: LIBERTY BELL WHOLESALE (57%)

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PHILADELPHIA JUDGE ABOUT CONCEPTS OF LAW.

Industry: LAWYERS (75%); MUSEUMS & GALLERIES (69%)

Geographic: PHILADELPHIA, PA, USA (93%); KIEV, UKRAINE (79%); UNITED STATES (93%); RUSSIAN
FEDERATION (91%); UKRAINE (76%)

Load-Date: October 28, 2002

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