

**IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT**

IN RE: TWENTY-SEVENTH JUDICIAL : No. 9 WM 2024
DISTRICT REQUEST FOR EMERGENCY :
JUDICIAL ORDER :

ORDER

PER CURIAM

AND NOW, this 30th day of January, 2024, the Request for Emergency Judicial Order, submitted by the Honorable Gary Gilman, President Judge of the Twenty-Seventh Judicial District, is GRANTED IN PART and DENIED IN PART.

In light of the critical incident that occurred with respect to the technology infrastructure of Washington County and the impact of that critical incident on the present operations of the Twenty-Seventh Judicial District, President Judge Gilman's request for authorization to declare a judicial emergency, effective as of January 24, 2024, is GRANTED. See Pa.R.J.A. 1952(B)(1) (governing requests by president judges for authorization to declare a judicial emergency). Such declaration of judicial emergency shall expire no later than February 12, 2024, at 11:59 p.m. President Judge Gilman may submit a serial application to this Court under Pa.R.J.A. 1952, seeking authority to extend the declaration of judicial emergency, if conditions existing at that time in the Twenty-Seventh Judicial District so warrant.

President Judge Gilman's request to temporarily suspend Pa.R.Crim.P. 600 is GRANTED. Nothing in this Order, however, or its implementation, shall affect a criminal defendant's right to a speedy trial under the United States and Pennsylvania Constitutions – albeit that the circumstances giving rise to this Order and the suspension may be

relevant to the constitutional analysis. President Judge Gilman's authority to suspend Pa.R.Crim.P. 600 shall expire no later than 11:59 p.m. on February 12, 2024. President Judge Gilman may submit a serial application to this Court under Pa.R.J.A. 1952, seeking authority to extend the suspension of Pa.R.Crim.P. 600, if conditions existing at that time in the Twenty-Seventh Judicial District so warrant.

President Judge Gilman's general request to suspend or modify other, unspecified statewide court rules is DENIED. In seeking such authority, a president judge is to identify, with particularity, any such rules to be suspended or modified and provide reasoning in support of those specific requests. Cf. Pa.R.J.A. 1952(B)(2)(m) (specifying that, in judicial districts operating under a declaration of judicial emergency, a president judge shall apply to this court to temporarily suspend or modify statewide court rules); see *also* Pa.R.J.A. 1952(B)(4) (providing that a President Judge's application per Pa.R.J.A. 1952(B)(1) shall be "substantially similar" to the form appended to the rule); see *also* Pa.R.J.A. 1952, Comment (in that suggested form, specifically listing: "3. Suspend or modify other statewide procedural or administrative rules as follows[.]"). This denial is WITHOUT PREJUDICE to President Judge Gilman to submit a serial application under Pa.R.J.A. 1952 that specifies any statewide rule or rules the jurist seeks to modify or suspend, along with an explanation for the necessity of such requests.

President Judge Gilman is DIRECTED to provide an update to this Court, no later than February 7, 2024, on the emergency situation in the Twenty-Seventh Judicial District. This update shall be via letter and docketed in this miscellaneous matter. Additionally, in the event the emergency situation in the Twenty-Seventh Judicial District resolves prior to February 12, 2024, the President Judge is to promptly apply to this Court for rescission of the emergency declaration. See Pa.R.J.A. 1952(B)(1) (indicating that a

declaration of judicial emergency continues in effect until it is “amended, rescinded, modified or superseded by order of the Supreme Court”).

Interested parties may object to this order no later than noon on February 2, 2024. Objections shall be filed with this Court at the above docket number and served on the District Court Administrator of the Twenty-Seventh Judicial District.

A True Copy Nicole Traini
As Of 01/30/2024

Attest: 
Chief Clerk
Supreme Court of Pennsylvania