

IN THE SUPREME COURT OF PENNSYLVANIA
TENTH JUDICIAL DISTRICT


IN RE:)
TENTH JUDICIAL DISTRICT -)
DECLARATION OF JUDICIAL)
EMERGENCY) No. 3 M 2020
)
)

DECLARATION

Per the Supreme Court's Order dated March 16, 2020, I declare a judicial emergency in the Tenth Judicial District for the following period: March 17, 2020 to April 14, 2020.

The operation of Rule of Criminal Procedure 600 shall be suspended in the Tenth Judicial District during the period of the local judicial emergency.

BY THE COURT


Rita Donovan Hathaway, President Judge

ATTEST:


FILED
PROTHONOTARY'S OFFICE
WESTMORELAND COUNTY

2020 MAR 17 AM 8:56

CHRISTINA O'BRIEN
PROTHONOTARY

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

IN RE: GENERAL STATEWIDE : No. 531 Judicial Administration Docket
JUDICIAL EMERGENCY :
:
:

ORDER

PER CURIAM

AND NOW, this 16th day of March, 2020, pursuant to Rule of Judicial Administration 1952(A), this Court **DECLARES** a general, statewide judicial emergency until April 14, 2020, on account of COVID-19. The Court deems it necessary for the Pennsylvania Judiciary to consider -- on a district-by-district basis -- the appropriate measures to be taken to safeguard the health and safety of court personnel, court users, and members of the public.

1. Accordingly, President Judges are **AUTHORIZED** to declare judicial emergencies in their judicial districts through April 14, 2020, or for part of that period, should they deem it appropriate for the protection of the health and safety of court personnel, court users, and others. Local declarations shall be transmitted to the State Court Administrator on a form substantially similar to the attached. The declarations shall become effective immediately upon the State Court Administrator's transmittal to the Supreme Court Prothonotary and upon sufficient publication arranged by the President Judge. To constitute sufficient publication, the President Judge shall ensure that the declaration is:

- A. Posted on the entry doors of the county courthouse of the judicial district and of all magisterial district courts within the judicial district;
- B. Posted on the judicial district's website; and
- C. Transmitted via e-mail to the local county bar association or associations, with the request that such associations promptly forward the notice to all members.

2. Upon the declaration of a judicial emergency in a particular judicial district, the President Judge SHALL HAVE THE AUTHORITY:

- A. To suspend time calculations for the purposes of time computation relevant to court cases or other judicial business, as well as time deadlines, subject to constitutional restrictions;
- B. To authorize additional uses of advanced communication technology to conduct court proceedings, subject to constitutional restrictions; and
- C. To take any action permitted pursuant to Rule of Judicial Administration 1952(B)(2).

3. With reference to paragraph 2(A), the President Judge specifically SHALL HAVE THE AUTHORITY to suspend the operation of Rule of Criminal Procedure 600 within a judicial district. Such suspension shall be immediately effective if a statement of intention to implement a suspension is included in the declaration of a local judicial emergency. The purport of the suspension will be that the time period of the local judicial emergency (or a shorter time period if specified) shall be excluded from the time

computation under Rule of Criminal Procedure 600(C). Nothing in this Order or its local 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.

4. Within 24 hours of taking any action as authorized in Paragraph 2 of this order, the President Judge shall, to the extent practicable, provide notice of the action in the manner specified in Paragraph 1(A)-(C) of this order.

5. President Judges in judicial districts operating under a declaration of judicial emergency are to comply with the obligations under Rule of Judicial Administration 1952(B)(3), (B)(5), and any other pertinent provision, where implicated.

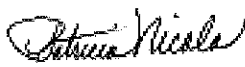
6. President Judges in judicial districts operating under a declaration of judicial emergency shall arrange for the provision of essential judicial services, including, by way of example, arraignments and bail establishment hearings, protection from abuse act proceedings, where absent such proceedings there would be a threat of domestic violence, and/or injunction proceedings, where absent such proceedings there would be the threat of irreparable harm.

7. To the extent a President Judge seeks the temporary suspension or modification of statewide court rules as applied to any case or cases in the judicial district, beyond that already permitted under this order, see Pa.R.J.A. 1952(B)(2)(m), the President Judge is to submit an application to such effect to the Supreme Court Prothonotary, with submissions being directed to the district office of the Prothonotary applicable to the President Judge's judicial district. Such applications shall specifically identify the rule or rules at issue and provide justification for the request. To the extent

practicable under the circumstances, notice of the request for suspension or modification of statewide court rules shall be provided in accordance with Paragraph 1(A)-(C) of this order, as well as Rule of Judicial Administration 1952(C)(5).

8. In judicial districts that operate under a declaration of judicial emergency, the President Judge shall provide notice in accordance with Paragraph 1(A)-(C), and to the State Court Administrator, when normal court operations are resumed. This notification shall be provided within 24 hours of the resumption of normal court operations.

A True Copy Patricia Nicola
As Of 03/16/2020

Attest: 
Chief Clerk
Supreme Court of Pennsylvania