

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

AND

**COURT OF COMMON PLEAS OF HUNTINGDON COUNTY,
PENNSYLVANIA**

IN RE: 20th Judicial District – Preliminary : 33 MM 2020
Hearings During Judicial Emergency : CP-31-MD-92-2020
: AO-7-2020

ADMINISTRATIVE ORDER

AND NOW, this 19th day of March, 2020, pursuant to the Supreme Court's Order of March 18, 2020 (Nos. 531 and 532 Judicial Administration Docket), this Court's Declaration of Judicial Emergency, issued March 16, 2020, and the prior Administrative Orders issued thereunder, the Court Orders as follows:

1. All preliminary hearings for defendants not currently incarcerated are generally continued until at least after April 3, 2020. Scheduling of such preliminary hearings by Court Administration will be subject to the duration of the judicial emergency, further direction from the Supreme Court, and guidance from public health authorities.
2. Preliminary hearings for defendants who are in custody will occur via advanced communication technology. The preliminary hearing will be conducted by the Magisterial District Judge assigned to Central Court for the week of the hearing.
 - a. If possible, the Magisterial District Judge will be present in Courtroom 1, and the defendant will appear by video. Counsel for the Commonwealth and for the defendant will appear by telephone (though they may appear in person, if necessary).
 - b. All witnesses (including law enforcement officers) and victims will appear or attend by telephone.

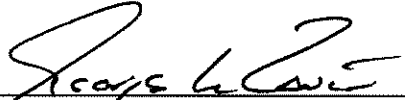
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- c. If appearance by video or the Magisterial District Judge's presence in Courtroom 1 is not possible due to technology issues, quarantine, or shelter-in-place orders, all parties will appear by telephone.
 - d. All appearances or attendance by telephone will be by means of a GoToMeeting conference bridge. Court Administration will provide the call-in information, including a unique passcode for each hearing, to the relevant parties as part of the scheduling notice.
3. Each defendant for whom a preliminary hearing is conducted under this Order is automatically deemed to have reserved, for assertion at a date prior to the disposition of their case but not later than thirty (30) days after the termination of this judicial emergency, the right to petition:
 - a. For writ of *habeas corpus*; and
 - b. For good cause shown, to have their preliminary hearing reopened for the taking of live testimony.
4. Counsel for the Commonwealth and the defendant shall confer as soon as practicable prior to the preliminary hearing to determine whether the defendant is willing to waive the preliminary hearing. An electronic copy of a signed waiver (i.e., a scanned .pdf) will be accepted for filing under AO-4-2020, with hard copy to be submitted at a later date.
5. As is the Court's current practice, time will be reserved prior to the preliminary hearing for defendants to confer with their counsel by video or telephone, if possible.
6. This Administrative Order shall be effective immediately, and shall continue in effect until the termination of the judicial emergency.

BY THE COURT:


George N. Zanic, President Judge

C: Irene Bizzoso, Esq., Supreme Court Prothonotary
Geoff Moulton, Court Administration of Pennsylvania
Stacey Witlec
Kay Coons, Huntingdon County Prothonotary/Clerk of Courts
Jeffrey E. Leonard, Sheriff
Duane Black, Warden
Leonard Hahn, Director, Probation Department
David G. Smith, District Attorney
Fredrick Gutshall, Esq., Director, Office of Court Appointed Counsel
Angela J. Robinson, District Court Administrator
Huntingdon County Bar Association