



adequately participate by other means or if their appearance is waived upon consent of counsel. When possible use email and electronic mediums to create, file, and transmit documents and Court Orders. Remote work by staff may be approved by their Court Supervisor or Department Head and is encouraged where possible.

3. The Operation of Rule of Criminal Procedure 600 is hereby suspended within this judicial district, beginning on March 17, 2020, and ending April 14, 2020. The constitutionally protected right of the criminal defendant shall continue to be upheld, but a delay for a COVID-19 related reason shall be attributed to the Berks County judiciary during the time period of the judicial emergency, as the circumstances giving rise to this Order and the suspension may be relevant to the constitutional analysis. This time shall be excluded from the time computation under Rule of Criminal Procedure 600(c).
4. Jury trials, both criminal and civil, shall be postponed until at least March 31, 2020 subject to further extensions prior to March 31<sup>st</sup>. If any bench trials are scheduled, an order confirming the intention to proceed must be issued by the assigned judge.
5. Criminal judges should move to a modified schedule, "staggering" lists to avoid larger groups of participants and attorneys. Judges are authorized to liberally continue proceedings, even without a continuance motion or an agreement of the parties, for reasons materially pertaining to the current COVID-19 pandemic, to avoid the transportation of participants from other potentially affected areas or other reasons. Priority should be given to those cases that can be resolved and are likely to result in a release from incarceration. All other cases, as practicable,

should be rescheduled. Where possible, the presence of defendants may be waived, such as status hearings where a final disposition is not anticipated, based on assertion of counsel. Counsel are encouraged to utilize email or other electronic communication or phone calls to request continuances in advance.

6. Essential judicial services, including, but not limited to, by way of example, preliminary arraignments, bail establishment hearings, protection from abuse act proceedings, emergency dependency hearings, and shelter and detention hearings, or where absent such proceedings, there would be a threat of irreparable harm shall continue to be heard. This is not an exclusive list.
7. Security: Single entry point for all County visitors shall be through the Berks County Services Center from 6am to 9:45pm. All employees shall enter through the Services Center only during these hours. Single entry point for all County visitors and employees from 9:45pm to 6am shall be through the Courthouse entry on Court Street. Eric Weaknecht, Berks County Sheriff, and his deputies, in conjunction with SGI, shall oversee the designated point of entry.
8. Access to the Berks County Courthouse and Services Center shall be limited exclusively to elected officials whose offices are maintained in the respective Courthouse and Services Center, county commissioners, department heads, essential employees who have not been permitted to work remotely, attorneys with court business, parties to a case that has not otherwise been continued, subpoenaed witnesses or victims in proceedings being held, prospective jurors at the time trials resume, members of the public who have official County business that must be conducted in person or have prescheduled appointments with the

Court or County departments, and members of the media. Any person who believes they are being unjustly denied access to the Berks County Courthouse or Services Center for judicial business should immediately contact Court Administration.

9. All Gagnon and Parole Violation hearings for those in custody shall be conducted by advanced communication technology absent separate direction from the assigned judge.
10. Court employees will not attend off-site conference or training.
11. The number of persons in chambers and other meetings / conferences shall comply with social distancing recommendations, utilizing alternate electronic means where possible.
12. All MDJ offices are directed to implement similar strategies to minimize exposure (continuances, staggered scheduling etc) to be coordinated through Faith Phillips, Deputy Court Administrator.
13. Administrative Judges for each Division or Department are authorized to enter additional administrative orders for their specialty area with specific details to further effectuate this order.
14. All future Administrative Orders regarding the COVID-19 pandemic procedures will be filed solely with the Berks County Prothonotary at No. 20-3264.

The exclusive purpose of this order is to promote and protect the health, safety and welfare of the public, county and court employees and users of the Berks County Courthouse and Services Center. The fluid nature of these circumstances acknowledged, and with continued monitoring of the current situation, policies will be modified as circumstances warrant.

This Order of Court shall remain in effect until April 14, 2020 unless modified by further Order of Court.

To the extent possible and practical under the circumstances, notice of this Administrative Order has been or will be:

- posted on the entry doors of the county courthouse, and on the entry doors of all magisterial district courts.
- posted on the Court and/or County website
- transmitted via email to the Berks County Bar Association for publication on its website
- submitted to the Administrative Office of Pennsylvania Courts for publication pursuant to Rule of Judicial Administration No. 1952(C)(5)

This Administrative Order shall be effective immediately.

BY THE COURT:



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Thomas G. Parisi, President Judge  
March 17, 2020