

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

AND

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

IN RE: 20 th Judicial District – Conduct of	:	33 MM 2020
Proceedings via Advanced	:	CP-31-MD- <u>125</u> -20
Communication Technology During	:	AO-16-2020
Judicial Emergency	:	

ADMINISTRATIVE ORDER

AND NOW, this 22nd day of April, 2020, in an effort to limit the spread of COVID-19, and pursuant to the Supreme Court's Orders of March 16, 2020, and April 1, 2020 (Nos. 531 and 532 Judicial Administration Docket), this Court's Declaration of Judicial Emergency, issued March 16, 2020, and all extensions thereof, the Court Orders as follows:

1. This Administrative Order complements, but does not terminate, all prior Administrative Orders of this Court regarding the conduct of Court business during the Judicial Emergency. However, to the extent that this Administrative Order is in conflict with any such prior Administrative Order, this Administrative Order shall control.
2. Starting May 4, 2020, the Court will resume normal operations to the fullest extent attainable via means of advanced communication technology ("ACT"). The primary means will be the Zoom video communications platform, with telephone conference call as a backup, subject to the Court's discretion. Please note that the Court will only consider using a telephone conference call in lieu of Zoom if Zoom is absolutely unworkable for a particular matter.

The Original of the Document has
been filed in the Office of the
Prothonotary/Clerk of Court on

APR 22 2020

- a. The above does not affect telephone conference calls for hearings on temporary protection from abuse orders, which shall remain governed by AO-5-2020.
 - b. For criminal matters involving defendants who are in custody, the Court will make arrangements based on the technology capabilities of the correctional facility housing the defendant and the specific defendant's housing situation. It is anticipated that the current structure of having the defendant appear via a Polycom video call, and the remainder of the participants appear via a GoToMeeting telephone conference bridge, will remain the primary structure for such defendants.
3. Consistent with Pa.R.Crim.P. 119(B), criminal defendants may consent to the conduct of any proceeding in their respective cases via ACT. However, criminal defendants are hereby **required** to participate in all proceedings in their respective cases via ACT **with the exception of** those set forth in Pa.R.Crim.P. 119(A); primarily (but not limited to) preliminary hearings, trials, sentencing hearings, and revocation hearings regarding parole, probation, and intermediate punishment.
- a. The Court calls to the attention of both criminal defendants and their counsel that the operation of Pa.R.Crim.P. 600 has been suspended during the Judicial Emergency, and that even after the termination of the current Judicial Emergency, infection control procedures regarding COVID-19 will likely result in inmate transports remaining extremely limited, if not eliminated entirely, for quite some time.
 - b. In light of the above, the Court **strongly encourages** criminal defendants to consent to the conduct of all possible proceedings via ACT, and the Court will endeavor to ensure that all such proceedings are conducted with appropriate solemnity and protection of procedural rights (including, without limitation, confrontation clause rights under the Sixth Amendment to the

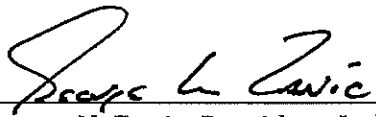
U.S. Constitution), as well as that each defendant's reasonable concerns regarding the use of ACT are appropriately addressed.

4. Litigants involved in civil matters (including, without limitation, domestic relations and child dependency actions) are hereby **required** to participate in all proceedings via ACT, as may be directed by the Court. If counsel for a litigant (or a litigant, if *pro se*) believes that the in-person appearance of a party is necessary, such that the proceeding cannot be conducted via ACT, such counsel may file a petition regarding their objection to the conduct of the proceeding via ACT, giving the detailed reasons for the objection and their proposed alternative.
5. Separate protocols will be established for criminal, civil, and domestic relations matters. Such protocols will be filed separately in the same matter as this Administrative Order, and once filed, shall be incorporated into this Administrative Order as if set forth fully herein. The conduct of counsel, litigants, witnesses, and other participants shall be governed by such protocols. The District Court Administrator shall attach the relevant protocols to each notice sent out for a court proceeding to be conducted via ACT. The relevant protocols shall also be attached to any subpoena issued to a witness called to testify before the Court. Counsel or *pro se* litigants calling witnesses who have not been served with a subpoena are hereby charged with providing a copy of the relevant protocols to their witnesses at least 48 hours prior to the proceeding, except for emergencies.
6. All exhibits to be considered by the Court must be transmitted via e-mail to Court Administration (ctadmin.orders@huntingdoncounty.net) and the Director of Judicial Operations (ssnare@huntingdoncounty.net), with copy to opposing counsel (or the opposing party, if a *pro se* litigant) no later than noon on the business day immediately preceding the date of the proceeding. Acceptable formats are .pdf, .jpg, .png, and .mp4, with all Microsoft Office documents (Word, Excel, PowerPoint, Outlook, etc.) to be converted to .pdf unless specific formatting or metadata is a

relevant part of the exhibit. No other file types or transmittal methods will be accepted without prior approval.¹ Filenames should include the short-form docket number and a brief, objective description of the item (e.g., "xxx-2020 Texts From Defendant").

7. The Court is working separately to provide a means of public access to appropriate proceedings via ACT. Once resolved, notice of and instructions for such access will be provided in a separate Administrative Order.
8. 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 Administrator of Pennsylvania
Stacey Witlec
Kay Coons, Prothonotary/Clerk of Courts
Virginia Cooper, Register & Recorder/Clerk of the Orphans' Court
Jeffrey E. Leonard, Sheriff
Duane Black, Warden
Leonard Hahn, Director, Probation Department
Shannon Walborn, Director, Department of Children and Youth
David G. Smith, District Attorney
Fredrick Gutshall, Esq., Director, Office of Court Appointed Counsel
Angela J. Robinson, District Court Administrator
Huntingdon House
The Abuse Network
Huntingdon County Bar Association

¹ If necessary, the Court will set up a Dropbox or similar file transfer site for exhibits too large to send via e-mail. Likewise, the Court will make reasonable accommodations for other file formats, but needs warning ahead of time to ensure technology compatibility.