

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

CIVIL DIVISION

IN RE: ACCESS TO JUDICIAL FACILITIES:  
IN THE THIRTIETH JUDICIAL DISTRICT :  
DURING THE STATEWIDE JUDICIAL : No. AD 2020 – 189  
EMERGENCY DECLARED ON MARCH 16, :  
2020 ON ACCOUNT OF COVID-19 :

ADMINISTRATIVE ORDER NO. 9

PARTIAL RETURN TO NORMAL OPERATIONS

AND NOW, **May 1, 2020**, pending further Order of Court, and in accordance with the Emergency Order of Statewide Judicial Administration Applicable from May 1, 2020, through June 1, 2020, issued on April 28, 2020, *see* Nos. 531 and 532 Judicial Administrative Docket, and pursuant to this Court's Declaration of Judicial Emergency, as supplemented on April 23, 2020, *see* Case No. 27 WM 2020, the following is ORDERED, DIRECTED, and DECREED, effective as of Monday, May 11, 2020:

**I. JUDICIAL CENTER ACCESS**

1. Only those persons having appointed business (referred to herein as "Authorized Occupants") will be permitted access to the Judicial Center. **Authorized Occupants** include attorneys appearing on behalf of clients, parties and witnesses to scheduled proceedings, members of the media, and others having scheduled appointments with the District Attorney, Public Defender, Sheriff, Clerk of Courts, Prothonotary, and Women's Services. Visitors, advocates, family members, and the like will be denied entry. The general public may schedule appointments by telephoning the respective offices of their intended destination, or by calling Court Administration at 814-333-7498.

## **I. JUDICIAL CENTER ACCESS** (continued)

2. Authorized Occupants will be required to possess and wear a **mask** unless excused by the Court. Masks will only be provided to Authorized Occupants who do not have adequate time to obtain a mask prior to a scheduled court proceeding. All others appearing at the Judicial Center without a mask will be turned away;
3. Public access to court proceedings, not otherwise restricted, shall be permitted by telephonic means and, if possible, by audio-visual means. Persons who are not Authorized Occupants, but who wish to exercise their right of public access, must inform Court Administration **in advance** of the scheduled hearing or trial so that suitable arrangements can be made to provide telephonic or audio-visual access. If telephonic or audio-visual access is not possible, then a transcript of the proceeding will be made available, but only if the person requesting a transcript had requested public access prior to the hearing or trial.
4. Inmates at the Crawford County Correctional Facility will not be permitted access to the Judicial Center. All communication with inmates shall either be by video conferencing or teleconferencing;
5. The public counters of the Clerk of Courts and Prothonotary shall remain **closed** to all persons except Authorized Occupants; and
6. Filing of papers with the Clerk of Courts and the Prothonotary shall remain exclusively by mail and electronically as authorized in Administrative Order No. 3.

## **III. GENERAL PRECAUTIONS**

All occupants of the Judicial Center, whether Authorized Occupants, officials, or staff, shall, at all times, comply with the following GENERAL PRECAUTIONS:

- a. Maintain social distancing;
- b. All Authorized Occupants must wear a mask, unless excused by the Court;
- c. All persons seeking access to the Judicial Center, whether Authorized Occupants or staff, may be subject to such questioning as is necessary to determine if the person

### **III. GENERAL PRECAUTIONS (continued)**

seeking access presents with symptoms commonly found among those diagnosed with the COVID-19 virus, or has been in contact with persons known to have been diagnosed with the COVID-19 virus or, within the previous 14 days, was present at a location deemed by the CDC to be a hotspot of COVID-19 contagion; and

- d. Enforcement of these General Precautions shall be by the Sheriff and his deputies. Enforcement may include, but is not limited to, the following: requiring persons seeking access to have their temperatures taken; denial of access; stationing of Authorized Occupants at locations within the Judicial Center as necessary to maintain required social distancing; requiring the use of gloves; and asking pertinent questions regarding COVID-19 contagion.

### **IV. PROTHONOTARY and CLERK OF COURTS**

No passports will be issued during the continuation of this Judicial Emergency. Otherwise, the Offices of the Prothonotary and Clerk of Courts shall continue to conduct business as previously authorized in Administrative Order No. 3, and in compliance with the JUDICIAL CENTER ACCESS and GENERAL PRECAUTIONS provisions contained herein.

### **V. COURTROOMS**

1. All three courtrooms will return to full operations, consistent with the GENERAL PRECAUTIONS provisions contained herein; and
2. Security measures of the Sheriff are to be restored in conformity with past practices, with particular emphasis on the enforcement necessary to assure compliance with the JUDICIAL CENTER ACCESS and GENERAL PRECAUTIONS provisions contained herein.

### **VI: CIVIL COURT and OTHER JUDICIAL BUSINESS GENERALLY**

Except as otherwise stated herein, civil court proceedings and all other judicial business operations will resume, conditioned upon the JUDICIAL CENTER ACCESS and GENERAL PRECAUTIONS provisions contained herein.

## VII. CRIMINAL COURT

### 1. Pleas.

- a. All pleas shall be **prescheduled**. Counsel shall provide email notice to Court Administration and the Office of the District Attorney of the intention of having his or her client placed on the plea list no later than Tuesday at 3:00 p.m., prior to the Thursday Plea Court, and no later than Friday at noon prior to the Call of the List. Failure to timely provide notice will result in the defendant having his or her plea set automatically for the next available time designated for pleas;
- b. Defense Counsel must secure from his or her client their signature on the Form 150 Written Plea Colloquy. The Plea Video will only be used for prison inmates and *pro se* defendants. It will not be used for criminal defendants who are represented by counsel; and
- c. Videoconferencing will be the exclusive method for taking the pleas of prison inmates. Defense counsel, with the cooperation of the District Attorney, shall procure and then arrange, prior to plea court, for each defendant's signature on all necessary documents, which shall be transmitted electronically for filing. If an inmate objects to videoconferencing, the plea hearing will be continued. All time attributable to a delay caused by objecting to videoconferencing shall apply against the defendant under Pa.R.Crim.P. 600.

### 2. Sentence Court Hearings.

- a. Defendants who are represented by counsel must sign the Appellate Rights After Sentencing Form 704 prior to their sentence hearing; and
- b. Prison inmates will be sentenced by videoconferencing only. If an inmate exercises his or her right to be personally present, then the sentence hearing will be postponed.

**VIII. DEPENDENCY and DELINQUENCY PROCEEDINGS**

All proceedings before the Juvenile Court Hearing Officer shall continue to be conducted through teleconferencing, with the exception of contested dependency adjudications.

**IX. CUSTODY PROCEEDINGS**

Custody Mediations shall be exclusively through teleconferencing.

**X. DOMESTIC RELATIONS MATTERS**

Domestic Relations matters shall proceed as scheduled, subject to the GENERAL PRECAUTIONS set forth herein.

**XI: PUBLIC DEFENDER**

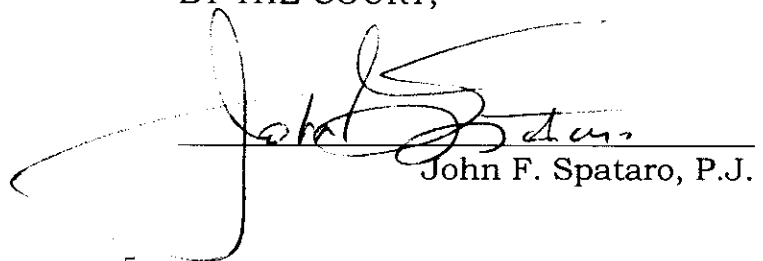
The Court declares that all clerical staff and Assistant Public Defenders presently on COVID unpaid furlough must be returned to full employment, as the Court finds, pursuant to Pennsylvania Rule of Criminal Procedure 122(3), Article 1, Section 9 of the Pennsylvania Constitution and the Sixth Amendment to the United State Constitution, that the interests of justice requires that the Office of Public Defender be properly staffed to provide for the competent representation of indigent criminal defendants.

**XII. PRIOR ADMINISTRATIVE ORDERS VACATED OR SUPERCEDED**

The Administrative Orders of March 17, 2020, and March 19, 2020, and the Administrative Order of April 2, 2020 governing public access to Judicial Facilities (No. 8), are hereby VACATED. Access to the Judicial Center is not limited to the Essential Judicial Functions therein specified.

This Administrative Order SUPERCEDES any conflicting terms and conditions of Administrative Order Nos. 3, 4, 5, 6, and 7 filed at Case No. AD 2020 – 189.

BY THE COURT,



John F. Spataro, P.J.