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OFFICE OF THE
PROthonotary
CHESTER CO. P.

**IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA**

**IN RE: DECLARATION OF JUDICIAL EMERGENCY IN THE 15TH JUDICIAL
DISTRICT ON ACCOUNT OF COVID-19 ("CORONAVIRUS")**

**ADMINISTRATIVE ORDER NO. 9-2020;
SUPREME COURT DOCKET NO. 54 MM 2020**

AND NOW, this 4th day of May, 2020, in consideration of the Pennsylvania Supreme Court's April 28, 2020 order extending through June 1, 2020 the statewide judicial emergency declared by that court in its order of March 16, 2020, requiring Pennsylvania courts to generally open to conduct court business beginning May 4, 2020 and directing courts to use best efforts to accomplish the timely administration of justice in all matters, this court's March 17, 2020 Declaration of a judicial emergency in the 15th Judicial District and the April 17, 2020 Declaration extending that judicial emergency through May 31, 2020, it is hereby **ORDERED** and **DECREED** as follows:

1. All of the essential functions previously described by this court in Administrative Order No. 6-2020, and the amendments thereto, for which the public is currently permitted to enter the common pleas and magisterial district courts shall continue to be performed by those courts through June 1, 2020. Additionally, in order to further address the backlog of cases accumulating since the courts were generally closed on March 19, 2020, while maintaining the safety of the public and court employees, essential functions for which the public will be permitted to enter those courts will also include those described below.¹

Common Pleas Courts

2. The additional essential functions for which the public shall be allowed to enter the common pleas courts are the following:
 - a. Accelerated Rehabilitative Disposition (ARD) hearings, summary appeal hearings, name change hearings and civil forfeiture hearings, which hearings shall be

¹ From the date of this order, through May 31, 2020, the essential functions for the common pleas and magisterial district courts may be expanded by further administrative order or amendment.

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transferred from the miscellaneous court docket to the civil court docket, with hearings beginning the week of May 18, 2020. Specific assignments of such cases shall be determined by the court administrator following consultation with the supervising judge for the civil judges and, as to ARDs and summary appeal hearings, representatives of the district attorney's office, public defender's office and adult probation office. All such hearings shall be staggered to reduce courtroom attendees. Groups of ARD defendants scheduled at any one time shall not exceed five (5) in number and groups of summary appeal defendants shall not exceed three (3) in number. ARD hearings for each group should be scheduled no sooner than every half hour. Summary appeal hearings for each group should be scheduled no sooner than every hour.

- b. Any additional miscellaneous court proceedings which have been held in abeyance since the general closure of courts on March 19, 2020. The court administrator may reassign any of these miscellaneous court proceedings to non-miscellaneous court judges, following consultation with the relevant supervising judges, if reassignment is necessary to avoid crowding and accomplish the efficient use of judicial resources.
 - c. Any proceedings from any of the cases assigned to an individual common pleas judge, including conferences, hearings and non-jury trials, which the judge, in his or her discretion, determines should be scheduled to appropriately reduce case backlog.
3. Violations of probation/parole hearings before the miscellaneous judge shall be limited to Friday hearings with incarcerated defendants appearing by remote access. All other violation of probation/parole hearings shall be scheduled before the assigned criminal judge.
4. The court administrator is authorized to schedule brief hearings after Justice Center business hours for litigants, in any types of case, unable to attend daytime court proceedings due to an unresolvable hardship. Such hearings shall be scheduled either with the treatment court judge or another judge, provided the scheduled hearing is held during a time when the Justice Center is staffed for treatment court proceedings.

5. Calls of the list shall be discontinued in favor of staggered status/scheduling conferences with the attorneys and any *pro se* litigants.
6. Arbitration hearings may be scheduled by the court administrator provided such hearings are held in available large rooms or courtrooms and the times when arbitration panels are to be assembled are staggered to avoid crowding.
7. Given the current limited elevator capacities, and in order to reduce crowding near the elevators, court and county employees working in the Justice Center are requested to use the stairs, if they can do so without impairing their health or safety, at times when the public use of the elevators is significant; e.g., beginning of business hours, lunchtime, and end of business hours.
8. The freight elevator within the Justice Center shall be made available for public and employee use when it is not needed by county facilities personnel.
9. In the absence of tipstaves, courtroom personnel, including sheriff deputies, clerks and court reporters, may be requested by individual judges to help accomplish courtroom related tasks during court proceedings.

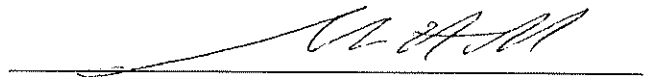
Magisterial District Courts

10. The additional essential functions for which the public shall be allowed to enter the magisterial district courts are the following:
 - a. Any proceedings from any of the cases assigned to an individual magisterial district judge, including conferences, hearings and trials, which the judge, in his or her discretion, determines should be scheduled, except for proceedings which have been specifically prohibited by prior administrative order of this court or prior Supreme Court order.
11. As of May 4, 2020, the magisterial district courts shall return to normal operating hours to bring them into compliance with the Justice Center operating hours.
12. In accordance with the Supreme Court's April 28, 2020 order, on and after May 11, 2020, payments to the magisterial district courts may be made in person if other means of payment, e.g., mail or electronically (online), are not available to the payor.

General

13. As described in prior administrative orders, court appearance times shall be staggered to avoid crowding. When reasonably possible, advanced communication technology shall be utilized and matters decided on submitted documents to reduce personal appearances.
14. To the extent that hearings and conferences can be held in the presence of counsel only, the courts shall permit the parties' physical presence to be excused.
15. All judges and hearing officers shall limit attendees in any courtroom or court-related room to that number of persons which the county facilities personnel have posted to indicate the maximum number of occupants recommended by the Chester County health department. Excess persons seeking to attend proceedings will be required to wait outside any such room until the number of occupants is sufficiently reduced. Health department social distancing recommendations shall be utilized in all court facilities.
16. These additional modifications to the 15th Judicial District's functions supersede and replace any modifications described in any prior Administrative Orders issued in March of 2020 and April of 2020, to the extent that there is a conflict between these modifications and those preceding modifications.
17. This Administrative Order is effective immediately.

BY THE COURT:



JOHN L. HALL

P.J.