

IN THE SUPREME COURT OF PENNSYLVANIA
EIGHTEENTH JUDICIAL DISTRICT

IN RE: EIGHTEENTH JUDICIAL DISTRICT : No. 26 WM 2020
DECLARATION OF JUDICIAL EMERGENCY : No. 349 CD 2020

DECLARATION OF JUDICIAL EMERGENCY

WHEREAS, Clarion County, Pennsylvania, is currently experiencing a substantial increase in the number of reported COVID-19 cases; and

WHEREAS, court operations within Clarion County are being impacted by required quarantine of court staff, attorneys, parties and witnesses in court proceedings making it difficult to effectuate court proceedings in the usual manner; and

WHEREAS, implementing expanded use of advanced communication technologies, limiting participation of individuals in court proceedings, and suspending time calculations for speedy trial rights in criminal cases is necessary to safeguard the health and safety of court personnel, court users and members of the public;

THEREFORE, it is ORDERED as follows:

AND NOW this 3rd day of November, 2020, pursuant to the Pennsylvania Supreme Court's Order dated May 27, 2020, which authorizes president judges of local judicial districts to declare judicial emergencies due to the ongoing COVID-19 pandemic under Rule of Judicial Administration 1952, a judicial emergency is hereby declared in the 18th Judicial District, Clarion County, Pennsylvania, effective November 3, 2020 until December 31, 2020, or later if extended by further order of court.

The following provisions shall apply to the operations of the courts within Clarion County during the period of the local judicial emergency:

1. Rule 600 and Jury Trials

The operation of Rule of Criminal Procedure 600 shall be suspended in the Eighteenth Judicial District during the period of the local judicial emergency.

All jury selection and jury trials are hereby cancelled to be rescheduled after the termination of the local judicial emergency.

2. Court Proceedings

Only parties, witnesses and attorneys are permitted to be present in courtrooms or hearing rooms. No other individuals will be permitted unless expressly authorized by the presiding judge when social distancing can be exercised.

At the option of the presiding judge, or upon request of counsel or a party, court proceedings, including criminal proceedings, may be conducted via advanced communication technologies such as video and telephone.

Requests for continuances of court proceedings will be liberally granted when requested due to COVID-19 exposure concerns, however all such requests must be submitted to Court Administration in writing.

Court proceedings that occur via a list of cases, such as criminal plea and sentence court, will be scheduled in increments to reduce the number of individuals present in the courtroom at one time.

All individuals present in court facilities shall wear cloth face coverings and practice social distancing. Face coverings may be removed with permission of the presiding judge when individuals are testifying or addressing the court.

3. Central Court Procedures

Only the District Attorney and necessary staff, police officers, defense attorneys and defendants are permitted to enter court facilities. No family, friends or other individuals are

permitted. Witnesses present for hearings will be asked to remain in their vehicles after informing a Sheriff's deputy or court staff of their presence. If needed for a hearing, witnesses will be permitted to enter the building at that time. Otherwise, witnesses will be informed by the deputy or court staff that they are excused once the case has been resolved. All defendants, attorneys, and witnesses shall exit the building as soon as the case is concluded.

4. Domestic Relations Operations

The Domestic Relations division shall conduct all support conferences and other appointments via telephone or Zoom rather than face-to-face. Domestic Relations Hearing Officers shall hold hearings in Courtroom No. 2 of the Clarion County Courthouse rather than in the Domestic Relations office to allow for social distancing.

BY THE COURT



Sara J. Seidle-Patton, P.J.

Dated: November 3, 2020