

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: 32nd JUDICIAL DISTRICT : NO. _____
EMERGENCY JUDICIAL :
APPLICATION :

**APPLICATION PURSUANT TO Pa.R.J.A. NO. 1952 FOR AUTHORIZATION TO
DECLARE A JUDICIAL EMERGENCY**

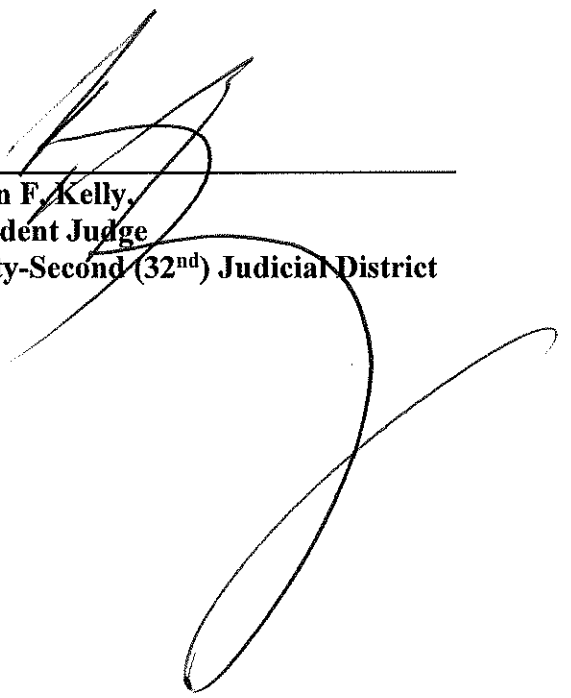
**TO THE HONORABLE CHIEF JUSTICE THOMAS G. SAYLOR AND JUSTICES OF
THE PENNSYLVANIA SUPREME COURT:**

1. Kevin F. Kelly, president judge of the 32nd judicial district (Delaware County) respectfully requests pursuant to Pa.R.J.A. No. 1952 (emergency actions, duties and authorities) the following relief by an order of the Pennsylvania Supreme Court:
 - a. Authorize the president judge to declare in this court district (32nd) a judicial emergency and relatedly take any actions authorized by Pa.R.J.A. No. 1952(B)(2).
 - b. Suspend and/or modify in this judicial district (32nd) statewide procedural and/or administrative rules per that below:
 1. Suspend calculations for the purposes of time computations within this judicial district (32nd) regarding the filing of documents with the court and/or taking other judicially mandated action beginning March 16, 2020, and ending March 30, 2020, unless extended otherwise by the Supreme Court of Pennsylvania on this court's subsequent request.

2. Authorize the expanded use of advanced communication technology to conduct court proceedings, including but not limited to all matters of juvenile delinquency and/or dependency, family section child custody emergency cases, contested criminal court preliminary hearings, and/or civil section matters of an emergent nature.

2. The circumstances underlining and necessitating this application for the declaration of a judicial emergency and the related entry of an emergency judicial order is the ongoing and growing public health crisis salient to COVID-19 in Delaware County (32nd judicial district) as evidenced, *inter alia*, by the Honorable Thomas W. Wolf, governor of Pennsylvania, ordering on March 13, 2020, the closure throughout this commonwealth of all schools, as well as state licensed daycares and adult daycare centers, for at least a two (2) week period effective March 16, 2020. Governor Wolf on March 12, 2020, made a declaration for Montgomery County, Pennsylvania, a county immediately contiguous to the 32nd judicial district (Delaware County), seeking to mitigate the spread of COVID-19, which included a “no visitor policy” being implemented for jails and nursing homes, as well as recommendations to close non-essential retail establishments, entertainment venues and gyms with freedom of movement yet remaining, but all persons asked to refrain from non-essential travel. On March 14, 2020, Governor Wolf announced that these efforts to halt the spread of COVID-19 in the state’s “epicenter” county (Montgomery) had been expanded to include Delaware County (32nd judicial district), effective that same date (March 14, 2020).¹ Governor Wolf on March 15, 2020, ordered, *inter alia*, the close in this judicial district of all dine-in services as an additional means to mitigate the COVID-19 spread.

3. To the extent possible and practical under the material circumstances, notice of this application for the declaration of a judicial emergency in this judicial district (32nd) and the related entry of an emergency judicial order has been and/or will timely be posted about the Delaware County courthouse, including but not limited to the Delaware County Office of Judicial Support and the Court Administrator's Office of Delaware County, the court's website, the Delaware County Bar Association's website, published in the legal periodical designated by this court for such notices, published in a newspaper within the county of general circulation, and submitted to the Administrative Office of Pennsylvania Courts ("AOPC") for posting on the Commonwealth's Unified Judicial System's website per Pa.R.J.A. No. 1952(C)(5).
4. Interested parties are advised that objections to any emergency order issued by the Pennsylvania Supreme Court attendant to this application should be timely transmitted to the Supreme Court Prothonotary with a copy contemporaneously provided to this court.



**Kevin F. Kelly,
President Judge
Thirty-Second (32nd) Judicial District**

Date: 3.16.2020

¹ Delaware County Council Chair, Brian P. Zidek, signed on March 7, 2020, an emergency declaration which via a vote of all council members on March 14, 2020, was extended until further action is subsequently taken to revoke the same. This emergency declaration, *inter alia*, allows council to have emergency meetings without prior public notice, suspends certain procurement processes attendant to purchases related to the emergency, and/or permits hires without a personnel board action.

Chair Zidek with this court's concurrence on March 15, 2020, directed the closure of the Delaware County government complex to the public with certain offices being operational with a reduced and staggered staff to allow for governmental continuity.