

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

**IN RE: 32<sup>nd</sup> JUDICIAL DISTRICT** : **PA SUPREME COURT NO. 30 MM 2020**  
:   
*Judicial Emergency* :   
*Declaration Extension*<sup>1</sup> : **DELAWARE COUNTY NO. 5120-17**

**FOURTH ORDER EXTENDING THE THIRTY- SECOND (32<sup>ND</sup>) JUDICIAL DISTRICT'S PAST DECLARED EMERGENCY**

**AND NOW**, this 8<sup>th</sup> day of July, 2020, this court having previously declared in the 32<sup>nd</sup> judicial district (Delaware County) a judicial emergency<sup>2</sup> and subsequently extended that emergent declaration<sup>3</sup> pursuant to such orders of the Pennsylvania Supreme Court sanctioning the same,<sup>4</sup> as well as Pa.R.J.A. No. 1952(B)(1)(2), and the Supreme Court of Pennsylvania by its orders of April 28, 2020, and May 27, 2020,<sup>5</sup> having authorized the judicial districts' president judges as believed appropriate grounded on local conditions to extend past declared judicial emergencies within a court district,<sup>6</sup> it is hereby **ORDERED** and **DECREED** that the 32<sup>nd</sup> judicial district (Delaware County) remains in a continuing state of judicial emergency because of the yet ongoing COVID-19 public health crisis.<sup>7</sup>

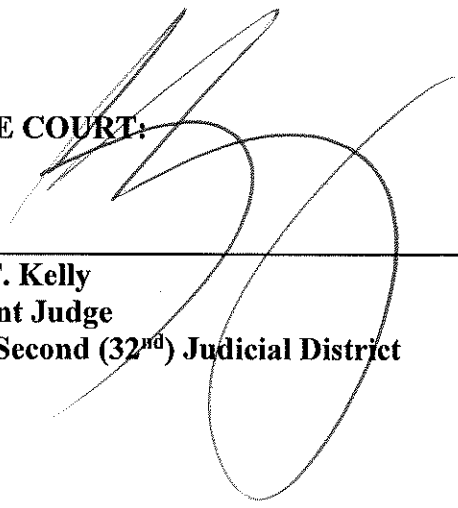
This fourth extension of the prior judicial emergency declaration<sup>8</sup> **SHALL** become **EFFECTIVE IMMEDIATELY** on the same being filed electronically with the Supreme Court of Pennsylvania's Prothonotary Office and **SHALL** continue through and including **OCTOBER 31, 2020**, with this court then yet having those authorities detailed under Pa.R.J.A. No. 1952(B)(2)(a-s) unless amended, rescinded, modified and/or superseded by a subsequent order of the Pennsylvania Supreme Court.<sup>9</sup>

This court acting under its original emergency declaration, as well as its extensions of the same,<sup>10</sup> and those attendant authorities per Pa.R.J.A. No. 1952(B)(2)(a-s), previously entered a series of emergent orders, the most recent of which by their plain terms still remain in effect through July 31, 2020,<sup>11</sup> unless as presently anticipated such are extended and/or amended allowing for some appropriately measured incremental increase of court operations consistent with the instant order recognizing the COVID-19 driven judicial emergency continuing until at least October 31, 2020.

That directed above as subsequent material circumstances warrant and/or it otherwise believes appropriate may be revisited by this court and modified to meet the evolving concerns presented by the ongoing Coronavirus public health crisis, including but not limited to this emergent declaration being set aside.

To the extent possible and practical under the material circumstances, notice of this order has been and/or will promptly be posted about the Delaware County courthouse, including but not limited to the complex's entry doors, the Delaware County Office of Judicial Support, the Court Administrator's Office of Delaware County, the Criminal Court Administrator's Office, the court's website, all magisterial district court facilities within Delaware County, the Delaware County Bar Association's website, 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).<sup>12</sup>

**BY THE COURT:**



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**Kevin F. Kelly**  
**President Judge**  
**Thirty-Second (32<sup>nd</sup>) Judicial District**

<sup>1</sup> See Pa.R.J.A. No. 1952(B)(1)(2). See also Orders dated March 16, 2020, pp. 1-2; March 18, 2020, pp. 1-3; March 24, 2020; April 1, 2020, pp. 1-3; April 28, 2020, pp. 2-5; and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket; Emergency Declaration dated March 17, 2020; Order Extending Emergency Declaration dated April 2, 2020; Second Order Extending Emergency Declaration dated April 28, 2020; and Third Order Extending Emergency Declaration dated May 27, 2020.

<sup>2</sup> See Emergency Declaration dated March 17, 2020. See also Pa.R.J.A. No. 1952(B)(1)(2).

<sup>3</sup> See Order Extending Emergency Declaration dated April 2, 2020, Second Order Extending Emergency Declaration dated April 28, 2020; and Third Order Extending Emergency Declaration dated May 27, 2020.

<sup>4</sup> See Orders dated March 16, 2020; March 18, 2020; April 1, 2020; April 28, 2020, pp. 2-5; and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket. See also Emergency Declaration dated March 17, 2020; Order Extending Emergency Declaration dated April 2, 2020; Second Order Extending Emergency Declaration dated April 28, 2020; and Third Order Extending Emergency Declaration dated May 27, 2020.

<sup>5</sup> See Orders dated April 28, 2020, pp. 2-5 and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket.

<sup>6</sup> See Orders dated April 28, 2020, pp. 2-5, and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket. See also *Philadelphia Inquirer*, May 13, 2020, Section B, p. 1 (“Infections great at Delco Jail – Jail: Nearly half of inmates tested has virus”; infection rate 50 times that of population at large.”); May 16, 2020, Section A, pp. 1, 4 (“Over that past 14 days, Delaware County has on average 275 cases for each 100,000 residents ... significantly higher than the suburban counties surrounding it.”); May 19, 2020, Section A, pp. 1, 6 (“Virus Rate Remains Stubbornly High in Delaware County”); May 22, 2020, Section A, pp. 1, 9 (“Delaware County trails Philadelphia and the other counties in flattening the curve of new cases.”); July 2, 2020, Section A, pp. 1, 6 (“ ... Pa. reports biggest one-day increase since June 5. ... Cases ... June 1 ... July 1 ... Change ... +8%.”); and July 8, 2020, Section A, pp. 1, 6 (Delaware County infection rate increases from 23 to 32 per 100,000 persons.). See generally Pa.R.J.A. No. 1952(A)(B).

<sup>7</sup> See Orders dated March 16, 2020; March 18, 2020; March 24, 2020; April 1, 2020; April 28, 2020; and May 27, 2020 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket. See also Emergency Declaration dated March 17, 2020; Order Extending Emergency Declaration dated April 2, 2020; Second Order Extending Emergency Declaration dated April 28, 2020; and Third Order Extending Emergency Declaration dated May 27, 2020.

<sup>8</sup> See Emergency Declaration dated March 17, 2020; Order Extending Emergency Declaration dated April 2, 2020; Second Order Extending Emergency Declaration dated April 28, 2020; and Third Order Extending Emergency Declaration dated May 27, 2020.

<sup>9</sup> See Pa.R.J.A. No. 1952(B)(1).

<sup>10</sup> See Emergency Declaration dated March 17, 2020; Order Extending Emergency Declaration dated April 2, 2020; Second Order Extending Emergency Declaration dated April 28, 2020; and Third Order Extending Emergency Declaration dated May 27, 2020.

<sup>11</sup> See Third Emergency Order Extension – Civil Section, as Amended, dated June 22, 2020; Third Emergency Order Extension – Criminal Section, as Amended, dated July 8, 2020; and Third Emergency Order Extension – Family Section, as Amended, dated July 2, 2020.

<sup>12</sup> See Orders dated March 16, 2020, p. 2; April 1, 2020, pp. 2-3; April 28, 2020, p. 3; and May 27, 2020 p. 2, Fn. 1 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket.