

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

IN RE: : **ADMINISTRATIVE ORDER**
SIXTH JUDICIAL DISTRICT :
DECLARATION OF :
JUDICIAL EMERGENCY :
: **NO. 90014 OF 2020**

SUPPLEMENTAL EMERGENCY JUDICIAL ORDER

AND NOW, to-wit, this 24th day of November, 2020:

WHEREAS, by Order of the Supreme Court of Pennsylvania dated May 27, 2020, a President Judge of a Court of Common Pleas is authorized to exercise emergency powers beyond the time of an existing declaration of a judicial emergency; and

WHEREAS, on November 18, 2020, this Court issued a Supplemental Emergency Judicial Order that any individuals (including but not limited to lawyers, litigants, witnesses, and others) having business in the Court shall comply with the guidelines set forth in the Secretary of the Pennsylvania Department of Health Orders of Orders of November 17, 2020.¹

WHEREAS, Erie County, Pennsylvania, continues experiencing a substantial increase in the number of positive COVID-19 cases; and

WHEREAS, to safeguard the health and safety of court personnel, litigants, and members of the public, further efforts must be made to reduce the amount of people present in court facilities while keeping the courts open to the public;

COMMON PLEAS COURT
ERIE, PA
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CLERK OF RECORDS
PROTHONOTARY

¹ See "Updated Order of the Secretary of the Pennsylvania Department of Health Requiring Universal Face Coverings," 11/17/2020; and "Order of the Secretary of the Pennsylvania Department of Health for Mitigation Relating to Travel," 11/17/2020.

NOW, THEREFORE, it is hereby **ORDERED, ADJUDGED** and **DECREED**, that effective Monday, November 30, 2020 through Monday, January 4, 2021, unless or until modified by further Order of Court:

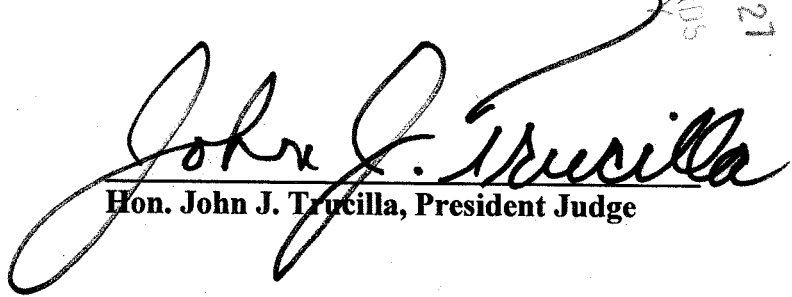
1. No in-person hearings shall occur in any division of the Court of Common Pleas except exempt proceedings as set forth herein. All proceedings that can be conducted remotely via advanced communication technology, such as teleconference and/or video conference, shall proceed as scheduled. Reasonable efforts to accommodate advanced communication technology shall be made.
2. If a non-exempt proceeding cannot be conducted remotely via advanced communication technology, it shall be postponed to a date certain after January 4, 2021.
3. "Exempt Proceedings" that may be conducted in-person if such proceeding cannot be conducted remotely via advanced communication technology are:
 - a. Criminal Division:
 - i. Bail hearings, warrants, and emergency motions; and
 - ii. Guilty pleas, status conferences, and sentencings to be assessed by counsel and the assigned judge to determine if in-person hearings can be conducted safely.
 - b. Civil Division:
 - i. Petitions for Injunctive Relief relating to public health concerns (such as the taking of residential property, ejection, eviction and/or other public health issue or concern involving immediate and irreparable harm), or any other Emergency Motion.
 - c. Family/Orphans Court Division:
 - i. Emergency Motions for Special Relief; and
 - ii. Bench warrants.
 - d. Protection from Abuse proceedings
 - e. Juvenile Proceedings
 - i. Informal hearings pursuant to 42 Pa.C.S.A. § 6332;
 - ii. All other juvenile dependency matters shall be handled on a case-by-case basis; and
 - iii. All other juvenile delinquency matters shall be handled on a case-by-case basis.

4. The operations of the Magisterial District Courts of the Sixth Judicial District are temporarily modified as follows:
 - a. No in-person hearings shall occur in any Magisterial District Court except exempt proceedings as set forth herein. All proceedings that can be conducted remotely via advanced communication technology, such as teleconference and/or video conference, shall proceed as scheduled. Reasonable efforts to accommodate advanced communication technology shall be made.
 - b. All summary non-traffic/traffic proceedings scheduled between November 30, 2020 and January 4, 2021, shall be **POSTPONED** to a date certain after January 4, 2021.
 - c. The Magisterial District Courts will remain open for specific designated operations, to include arraignments, preliminary hearings (see also, Paragraph 5, as it may pertain to hearings scheduled in Central Court at the Erie County Courthouse), criminal case filings and subsequent processing, issuance of search warrants and Emergency Protection from Abuse petitions. Again, to the extent possible, advanced communication technology, such as teleconference and/or video conference, shall be utilized.

5. All Court facilities and Magisterial District Courts shall remain open to the public and open for case filings, payments, case processing, and other business except as described above.

ALL OTHER TERMS OF THE PRIOR JUDICIAL ORDERS AT THIS DOCKET NOT INCONSISTENT WITH THE ABOVE SHALL REMAIN IN FULL FORCE AND EFFECT.

11-24-2020
Date



Hon. John J. Trucilla, President Judge

cc: Geoff Moulton, Esq., Court Administrator of Pennsylvania
 Irene M. Bizzoso Esq., Prothonotary, Supreme Court of Pennsylvania
 The Honorable Stephanie Domitrovich
 The Honorable Elizabeth K. Kelly
 The Honorable Daniel Brabender, Jr.
 The Honorable John J. Mead
 The Honorable Joseph M. Walsh, III
 The Honorable Marshall J. Piccinini
 The Honorable David G. Ridge
 The Honorable Erin Connelly Marucci
 MDJ Scott B. Hammer, Association President

Robert Catalde, Esq., District Court Administrator
 Julia Bagnoni, Esq., Deputy Court Administrator
 Rebecca Humphrey, Esq., Deputy Court Administrator
 John Loomis, Erie County Sheriff
 Kenneth Gamble, Esq., Clerk of Records
 Kelly Malone, Prothonotary
 Aubrea Haynes, Clerk of Courts
 Tammi Elkin, Esq., Register of Wills
 David Bradford, Esq., Recorder of Deeds
 Jack Daneri, Esq., District Attorney
 Patricia J. Kennedy, Esq., Public Defender
 Kathy Dahlkemper, County Executive

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