

**IN THE COURT OF COMMON PLEAS
OF THE FIFTY-NINTH JUDICIAL DISTRICT OF PENNSYLVANIA**

**IN RE: 59TH Judicial District of Pennsylvania * COUNTY BRANCH- ELK/CAMERON
ACCESS TO JUDICIAL FACILITIES *
COVID-19 Pandemic * No. 2020-272 (Elk County)
*
* No. 2020-357 (Cameron County)**

ADMINISTRATIVE ORDER OF COURT

AND NOW, this 12th day of February, 2021, upon consideration of Order of the Pennsylvania Supreme Court dated May 27, 2020, effective June 1, 2020, entered by the Pennsylvania Supreme Court at *In Re: General Statewide Judicial Emergency, Nos. 531 and 532* Judicial Administration Docket, which vested President Judges with authority to exercise emergency powers under Rule 1952(B)(2) of the Pennsylvania Rules of Judicial Administration, a judicial emergency having been declared in the Fifty-Ninth Judicial of Pennsylvania, Elk and Cameron Counties, effective March 17, 2020 by Shawn T. McMahon, President Judge, which remains in effect through February 27, 2021, in an effort to balance mitigating the community spread of the novel Coronavirus/COVID-19 within the Fifty-Ninth Judicial District of Pennsylvania, Elk and Cameron Counties, and the Fifty-Ninth Judicial District of Pennsylvania, Elk and Cameron Counties, performing both essential and non-essential functions in a normal fashion, **IT IS HEREBY ORDERED AND DECREED**, as follows:

1. The existing judicial emergency declared by Shawn T. McMahon, President Judge, on March 17, 2020 in the Fifty-Ninth Judicial District of Pennsylvania, Elk and Cameron Counties, is extended pursuant to this Administrative Order of Court until **Friday, May 28, 2021 at 11:59 o'clock P.M.**
2. All court facilities within the Fifty-Ninth Judicial District of Pennsylvania, Elk and Cameron Counties, **shall be immediately accessible without restrictions provided**

Certified to be a full, true and correct copy of the original in my custody.

Dated/Filed: 02-12-21

Attest: Suzanne Draub-Elkner
Prothonotary/Clerk of Courts

all persons entering a court facility within the Fifty-Ninth Judicial District of Pennsylvania, Elk and Cameron Counties, shall be required to properly wear a face covering at all times while inside any such court facility. In addition, any person entering a court facility within the Fifty-Ninth Judicial District of Pennsylvania, Elk and Cameron Counties, shall be required to strictly comply with all directives and recommendations of the Pennsylvania Department of Health (PA DOH) and Center For Disease Control (CDC) regarding the novel coronavirus/COVID-19 pandemic. For purpose of this paragraph, a court facility includes the Elk County Courthouse, Cameron County Courthouse and all Magisterial District Judge Offices within the Fifty-Ninth Judicial District of Pennsylvania, Elk and Cameron Counties.

3. Magisterial District Judges, Chief of the Elk County Adult and Juvenile Probation Department, Chief of the Cameron County Adult and Juvenile Probation Department, Director of the Elk County Domestic Relations Office and Director of the Cameron County Domestic Relations Office are vested with full authority and discretion to develop and implement any necessary written policies, procedures and safeguards they deem necessary and appropriate regarding the operations of their respective Magisterial District Courts, Departments and Offices given the novel coronavirus/COVID-19 pandemic. All of the aforesaid Magisterial District Courts, Departments and Offices shall remain fully staffed in-person, open during normal business hours and shall operate as normal as possible given the novel coronavirus/COVID-19 pandemic.
4. In consideration of this Administrative Order of Court, elected row officers and directors of other non-court offices within the Elk County Courthouse and Cameron

Courthouses, to the extent necessary by this Administrative Order of Court, are vested with full authority and discretion to develop and implement any necessary written policies, procedures and safeguards they deem necessary and appropriate regarding the operations of their respective office or department given the novel coronavirus/COVID-19 pandemic.

5. Proceedings before the Court of Common Pleas of the Fifty-Ninth Judicial District of Pennsylvania, Elk and Cameron Counties, shall be conducted either in-person or by advanced telecommunication technology as determined by the President Judge on a case-by-case basis.
6. Proceedings before the Magisterial District Courts of the Fifty-Ninth Judicial District of Pennsylvania, Elk and Cameron Counties, shall be conducted either in-person or by advanced telecommunication technology as determined by the presiding Magisterial District Judge on a case-by-case basis.
7. At this time, Jury Selections in Elk and Cameron Counties are stayed or otherwise cancelled until **Friday, May 28, 2021**.
8. Pa. Rule Criminal Procedure Rule 600 shall remain suspended in the Fifty-Ninth Judicial District of Pennsylvania, Elk and Cameron Counties, through May 28, 2021. Alternatively, such time for Pa. Rule Criminal Procedure Rule 600 calculation is deemed by this Court to be excludable or excusable time due to the unavailability of this Court to conduct jury selections and jury trials in a safe and healthy manner at this time for all participants involved in such proceedings including prospective jurors, jurors, parties, attorneys, court staff and the Court as the novel Coronavirus/COVID-19 continues to present both known and unknown risks for jury

selection and jury trials to occur, particularly jury selection proceedings. Notwithstanding the aforesaid, this Court along with local court leaders shall continue to assess options for the resumption of jury trials as soon as practicable "consistent with the prevailing health and safety norms".

The District Court Administrator shall forward a copy of this Administrative Order of Court to all persons as provided in Administrative Order of Court dated January 15, 2021.

The purpose of this Administrative Order of Court is to balance the necessity of the Court of Common Pleas and Magisterial District Courts within the Fifty-Ninth Judicial District of Pennsylvania to timely addressing matters in a safe and healthy manner and to promote and protect the health, safety and welfare of the citizens of Elk and Cameron Counties, employees and users of court facilities within the Fifty-Ninth Judicial District of Pennsylvania, Elk and Cameron Counties. In addition, this Administrative Order of Court is intended to significantly expand the operation of court offices, namely Probation and Domestic Relations, to as normal as possible during the current phase of the novel coronavirus/COVID-19 pandemic.

This Administrative Order of Court shall remain in effect until ~~Friday, May 28, 2021~~ at 11:59 o'clock P.M.

BY THE COURT:



SHAWN T. MCMAHON, P.J.