

IN THE COURT OF COMMON PLEAS FOR THE 39TH JUDICIAL DISTRICT
Franklin County and Fulton County Branches

In Re: 39th Judicial District

: Emergency Judicial Order
: AD 30-2021
: 57 MM 2020
:

Donna Neve
109 Clerk of Courts

ATTEST: A TRUE COPY

MAY 14 2021

Amended Emergency Judicial Order

And now this 14th day of May, 2021,

WHEREAS, this court entered an Amended Emergency Judicial Order on April 21, 2021, extending the judicial emergency due to the ongoing presence of the Covid-19 virus in the 39th Judicial District until July 1, 2021;

AND WHEREAS, on Thursday, May 13, 2021 the Centers for Disease Control issued *Interim Public Health Recommendations for Fully Vaccinated People* that “fully vaccinated people no longer need to wear a mask or physically distance in any setting, except where required by federal, state, local, tribal, or territorial laws, rules, and regulations, including local business and workplace guidance;”

AND WHEREAS, Pennsylvania Governor, Thomas Wolf has announced that mitigation orders, except masking, will be lifted on Memorial Day, Monday, May 31, 2021 at 12:01 a.m.; The governor has suggested masking should remain in affect until 70% of all Pennsylvanians are fully vaccinated, regardless of the disparities in vaccination rates that may occur within the state based upon regional views as to the necessity and efficacy of the vaccine.

AND WHEREAS, the court is also aware that both Franklin and Fulton Counties remain in the bottom 5 counties for vaccination rates, which this court can reasonably construe and project that neither county will ever reach a recommended rate of vaccination of 70% to forego masking, absent the federal or state government compelling citizens to submit to a vaccine;

AND WHEREAS the undersigned has continued to monitor the status of the virus in the district including the positivity rate, impacts on the local health systems and the distribution of the various vaccines and is satisfied that those adults who have desired to receive at least a first dose of a vaccine have had adequate time and opportunities to do so; The court has throughout the pandemic looked to the scientific community versus elected government officials when determining the correct course of action for those who seek justice in the 39th Judicial District and the scientific community states that fully vaccinated persons do not need to wear masks;

**For the foregoing reasons the undersigned President Judge does decree and
IT IS HEREBY ORDERED:**

1. Effective immediately, any person, be they litigants, attorneys, witnesses, or any person who works within a court room and appearing at court proceedings of any type **and is vaccinated shall no longer have to wear a mask or face covering.** **Court-supervised employees who are fully vaccinated shall no longer have to wear a mask or face covering while at work,** as all social distance limitations for those who are vaccinated have also been lifted per the CDC interim directive. Enforcement of the issue of vaccination shall be on an "honor system." All court-supervised employees or persons who appear for court proceedings and are not vaccinated are to continue to comply with the CDC recommendations regarding masking, but no judge, or court-supervised supervisor or manager shall be expected or compelled to make inquiry as to whether a party is vaccinated if the person is observed not wearing a mask or face covering.
2. COVID-19 screening for access to court facilities shall remain in place until July 1, 2021, so as to provide a protection from the potential spread of the virus. The screening criteria are designed to discourage those who may have the virus, or have been exposed to the virus, to continue to be discouraged from participating in activities that knowingly contribute to the spread of the virus.

Signed: _____

Shan D. Meyers
P.J.

Dated: _____

May 14, 2021

Dist:

Board of Judges

Court Administration

Magisterial District Judges

Tim Sponseller, Franklin Co. Prothonotary

Todd Rock, Franklin Co. Clerk of Courts

Linda Miller, Franklin Co. Register and Recorder

Patty Fix, Fulton Co. Prothonotary/Clerk/Register & Recorder

Franklin Co. Sheriff Dane Anthony
Fulton Co. Sheriff Keith Stains
Chief Douglas Wilburne – Franklin Co. Probation/Parole
Chief Richard Ackerman – Franklin Co. Juvenile Probation
Chief Dan Miller – Fulton Co. Adult & Juv. Probation/Parole
Franklin Co. District Attorney, Matt Fogal
Franklin Co. Public Defender, Casey Bogner
Fulton Co. District Attorney Travis Kendall
Fulton Co. Public Defender Phil Harper
Conflict Counsel: S. Kulla, Esq.; E. Weisbrod, Esq.; K. Taccino, Esq.
Franklin & Fulton Co. Commissioners
Masters/Hearing Officers/Conciliators