



Michael R. Kehs, Esq.
Court Administrator
Montgomery County Courthouse
P.O. Box 311
Norristown, Pennsylvania 19404
610-278-3229

Date: March 12, 2020

To: Common Pleas Judges, Magisterial District Judges, Court Departments, Court-Related Departments and Court Staff

Subject: Public Health Emergency Response – Courts **UPDATED**
(Note - updates appear in red)

Dear Colleagues:

President Judge DelRicci, in consultation with and approval of the Court's Administrative Judges, has authorized the distribution of this memo. Effective immediately, and until further notice, the Court has adopted the following policies and/or restrictions announced by the County:

- **Exposure Control Policy** (attached);
- **Court employees will not attend off-site conferences or trainings;**
- **Court events/meetings (as distinguished from court hearings, conferences, etc.) will be rescheduled or held virtually.**

Our Court submitted a Request for Emergency Judicial Order, attached, this date. The Supreme Court granted said Request by Order of today, attached. Our Court then issued an Emergency Declaration by Order, attached. The Court further issued an Emergency Judicial Order implementing immediate strategies under Pa.R.J.A. 1952(B)(2), attached.

As a result of the above, the Court is implementing the following strategies immediately, and until further notice:

- **Jury duty has been cancelled thru and including March 27, 2020;**
- **All Jury trials (civil and criminal) have been cancelled thru and including March 27, 2020;**
- **Criminal PTC lists and COT lists have been cancelled thru and including March 27, 2020;**

- **All other court matters scheduled thru and including March 27, 2020 remain as scheduled;**
- **Scheduling of larger court lists (PTC, COT) will be “staggered”** by the hour (9 a.m., 10 a.m., etc.) to avoid larger groups of litigants/attorneys in the courtrooms. **Scheduling will be adjusted starting the week of March 30;**
- Criminal Judges are directed to adopt a **uniform continuance request policy** concerning 1st and 2nd listing matters on PTC lists – namely that same can be continued by e-mail or phone request in advance of the date, with the consent of the opposing party, and 48 hours’ notice to the Court – **for cases listed after March 30th;**
- All Judges are directed to conduct **Gagnon hearings** by video or, absent agreement for video, by scheduling at the MCCF courtroom;
- **Senior Judges** will be brought in to assist with PFA, ARD and certain Juvenile Court scheduling – as an “extraordinary assignment request” thru AOPC. Courtroom moves may be required to accommodate;
- **Juvenile Court** will continue to stagger scheduling, and **will be cancelling certain non-essential scheduling through and including March 27, 2020;**
- The **Orphans’ Court Audits List** will be converted to a paper-filing date only, no appearance required. Administrative Order to follow;
- **Orphans’ Court conferences**, as opposed to hearings, will be converted to video or phone conferences;
- **Bibles** will be removed from all courtrooms;
- **All MDJ Offices** will be directed to implement similar strategies to minimize exposure (staggered scheduling recommendations, money processing policies, etc.) to be coordinated through MDJ Administration. **MDJ Courts will no longer accept cash or check transactions for payments in traffic cases, rather litigants will be directed to make online payments. Protocols are in place in the event they are unable to make online payments;**
- **DRO Establishment and Modification Conferences** (only) will be accommodated by telephone, upon request, provided that the parties comply with document presentation requirements prior to the conference;
- **JPO is authorized/encouraged to conduct supervisory visits with juvenile clients by video;**

- **The Montgomery County Correctional Facility (MCCF) has temporarily restricted visits by everyone – including counsel, APOs, law enforcement and inmate visitors. Alternative provisions using technology are available. MCCF is offering free video visitation for attorneys and other professionals during the current emergency.**

By way of update, the following **safety measures** have been implemented throughout the Courthouse and MDJ Offices:

- Sanitizer dispensers have been installed in the hallways around the courthouse – particularly near courtrooms and hearing/meeting rooms;
- Sanitizer dispensers and cleaning supplies have been provided to Court Clerks for each courtroom. An additional dispenser was provided to jury courtrooms for use in the Jury Room, when necessary;
- Sanitizer dispensers and cleaning supplies have been provided to all court offices that deal with the public on a daily basis;
- Sanitizer dispensers and gloves are available for other Court offices upon request, if such supplies are available.

Thank you for your anticipated patience and cooperation herein. Please be reminded that events are very fluid – and are subject to change as additional information is provided.

A handwritten signature in blue ink, appearing to read "Richard", is centered on the page.

cc:
Lee Soltysiak, COO
Barbara O'Malley, Deputy COO
AOPC Communications
Montgomery Bar Association

IN THE SUPREME COURT OF PENNSYLVANIA

**IN RE: 38th Judicial District – Request for No.
Emergency Judicial Order**

1. Hon. Thomas M. DelRicci, President Judge of the 38th Judicial District, hereby requests the following relief by Order of the Supreme Court:

a. Authorize the president judge to declare a judicial emergency in this judicial district and take any actions authorized by Pa.R.J.A. No. 1952(B)(2).

b. Suspend or modify statewide procedural or administrative rules in this judicial district as follows:

1. Suspend time calculations for the purposes of time computation within this judicial district for the filing of documents with the court or taking other judicially mandated action. Beginning date March 13, 2020, ending date March 27, 2020;

2. Authorize the expanded use of advanced communication technology to conduct court proceedings;

3. Suspend the application of Pa.R.Crim.P. 600. Beginning date March 13, 2020, ending date March 27, 2020.

2. The circumstances necessitating this request for an emergency judicial order are as follows: an existing public health emergency in Montgomery County involving exposure to COVID-19.

3. To the extent possible and practical under the circumstances, notice of this request for an emergency judicial order has been or will be:

- posted on the court's website
- submitted to the Administrative Office of Pennsylvania Courts for publication pursuant to Pa.R.J.A. No. 1952(C)(5)

4. Interested parties are advised that objections to any emergency judicial order issued by the Supreme Court should be transmitted to the Supreme Court Prothonotary.



Thomas M. DelRicci, President Judge
March 12, 2020

IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

IN RE: 38th JUDICIAL DISTRICT - : No. 29 MM 2020
REQUEST FOR EMERGENCY JUDICIAL :
ORDER :
:

ORDER

AND NOW, this 12th day of March, 2020, the Application of the Honorable Thomas M. DelRicci, President Judge of the Thirty-Eighth Judicial District, requesting an emergency judicial order, is GRANTED, IN PART.

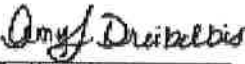
The relief requested in Paragraphs 1(a), 1(b)(1), and 1(b)(2) of the Application is GRANTED.

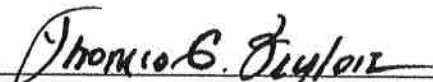
The relief requested in Paragraph 1(b)(3) is HELD UNDER ADVISEMENT pending further order of this Court.

Interested parties may object to this order no later than noon on March 16, 2020. Objections shall be filed at the above docket number and served on the District Court Administrator of the Thirty-Eighth Judicial District.

Jurisdiction is retained.

A True Copy Amy Dreibelbis, Esquire
As Of 03/12/2020

Attest: 
Deputy Prothonotary
Supreme Court of Pennsylvania


THOMAS G. SAYLOR
Chief Justice of Pennsylvania

IN THE COURT OF COMMON PLEAS OF MONTGOMERY
COUNTY, PENNSYLVANIA

2020-00001

IN RE: DECLARATION JUDICIAL EMERGENCY

MISC. NO.

ORDER

AND NOW, this 12th day of March, 2020, pursuant to the authority granted by the Supreme Court, by Order of this same day, the undersigned DECLARES a judicial emergency in the 38th Judicial District.

The specific actions taken pursuant to Pennsylvania Rule 1985(B)(2) shall be set forth in subsequent Orders.

BY THE COURT:



Thomas M. DelRicci, President Judge



2020-00001-0004 3/12/2020 2:53 PM # 12709713
Rcpt#Z3850551 Fee:\$0.00 Order
Main (Public)
MontCo Prothonotary

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IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

IN RE: EMERGENCY JUDICIAL ORDER : NO. 2020-00001

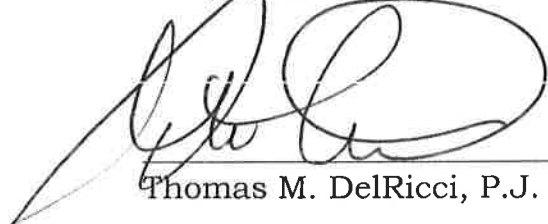
ORDER

AND NOW, this 12th day of March, 2020, as authorized by the Pennsylvania Supreme Court Order of this same date, and this Court having already declared a judicial emergency in the 38th Judicial District of Pennsylvania by separate Order of this date, the Court hereby authorizes the following actions be taken pursuant to Pa.R.J.A. No. 1952(B)(2), effective immediately:

- All jury trials (civil and criminal) are cancelled thru and including March 27, 2020;
- Jury duty is cancelled thru and including March 27, 2020
- Criminal Pre-Trial Conference Lists and Call of the Trial Lists are cancelled thru and including March 27, 2020

All other court matters scheduled thru and including March 27, 2020 remain as scheduled.

BY THE COURT:



Thomas M. DelRicci, P.J.



2020-00001-0005 3/12/2020 3:08 PM # 12709715
Rcpt#Z3850552 Fee:\$0.00 Order
Main (Public)
MontCo Prothonotary