



Michael R. Kehs, Esq.
Court Administrator
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Date: March 13, 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 – attachments are not included unless new)

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;

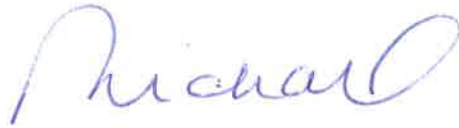
- **All other court matters scheduled thru and including March 27, 2020 remain as scheduled;**
- **Scheduling of larger court lists (PTC, COT) will be “staggered”** by the hour (9 a.m., 10 a.m., etc.) to avoid larger groups of litigants/attorneys in the courtrooms. Scheduling will be adjusted starting 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 **and non-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. **Expanded use of video conferencing for MDJ hearings (per the Emergency Order) is specifically directed/authorized;**
- **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;

- **The Court's supervision services departments (APO and JPO) have adopted protocols, approved by the Court, during the state of emergency that include suspension of home and residential visits (the use of video or telephone is encouraged), alternative work schedules for staff and the cancellation of certain programming;**
- **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. Weekend sentences at MCCF are suspended during the state of emergency. The Court will make a subsequent determination regarding the completion of those sentences;**
- **Treatment Courts (Drug, Behavioral Health and Veterans) have adopted uniform operations during the state of emergency, including the staggering of reporting times, participant reporting obligations if symptomatic and the suspension of any sanctioning involving incarceration in MCCF;**
- **Custody Mediation Orientation Sessions conducted by the Court's Custody Mediators pursuant to Local Rules 1940.3, et seq., are authorized to be conducted by telephone or video conferencing thru and including March 27, 2020;**
- **By Order of P.J. DelRicci, attached and dated March 13, 2020, the execution of Orders for eviction or possession of residential properties is stayed thru March 27, 2020.**

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 "Michael".

cc:

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

IN THE COURT OF COMMON PLEAS OF MONTGOMERY
COUNTY, PENNSYLVANIA

IN RE: EMERGENCY JUDICIAL ORDER

NO. 2020-00001

ORDER

AND NOW, this 13th day of March, 2020, execution of Orders for eviction or possession of residential properties in Montgomery County is **STAYED** through March 27, 2020.

BY THE COURT:



Thomas M. DelRicci, President Judge



2020-00001-0006 3/13/2020 1:56 PM # 12710910
Rcpt#Z3851340 Fee:\$0.00 Order
Main (Public)
MontCo Prothonotary

CERTIFIED FROM THE RECORDS OF THE
PROTHONOTARY, COURT OF COMMON PLEAS,
MONTGOMERY COUNTY, PA.

NOAH MARLIER, PROTHONOTARY

DATE:

 CLERK

3-13-20

