

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA

CIVIL DIVISION

IN RE:

27TH JUDICIAL DISTRICT)
DECLARATION OF JUDICIAL) No. 2020-1
EMERGENCY) 24 W.M. 2020

FILED

MAR 20 2020

ADMINISTRATIVE ORDER

AND NOW, this 20th day of March, 2020, pursuant to the Order of the Supreme

L. H. HOUGH
NOTARY

Court of Pennsylvania in Nos. 531 and 532 of the Judicial Administration Docket, *In re: General Statewide Judicial Emergency*, dated March 18, 2020, and the Declaration of Judicial Emergency issued by this Court dated March 16, 2020, it is hereby ORDERED, ADJUDGED, and DECREED as follows:

1. The Washington County Courthouse, Family Court Center, and all magisterial district courts are CLOSED TO THE PUBLIC as to non-essential functions through the close of business on April 3, 2020. The offices shall continue to be staffed as necessary to perform essential functions of the office as identified by this Order, or determined by the elected official, District Court Administrator, or department head. Offices are directed to perform work obligations remotely to the extent possible and to maintain on-site staff at a minimum.
2. Notwithstanding the preceding paragraph, credentialed press access to essential proceedings shall be permitted to the extent possible, unless such access would unduly comprise the health and safety of court personnel or employees, litigants, or other case participants. The determination of whether access would threaten public safety is to be made by the President Judge, or in her absence, the District Court Administrator, or the presiding judge.

3. For purposes of this Order, “essential functions” are:
- a. Emergency bail review and habeas corpus hearings;
 - b. *Gagnon I* hearings;
 - c. Bench warrant and detainer hearings;
 - d. Proceedings pursuant to Pennsylvania Rule of Criminal Procedure 708 where the defendant is incarcerated (on a case-by-case basis);
 - e. Criminal plea and sentencing proceedings where the defendant is incarcerated;
 - f. Juvenile emergency shelter and detention hearings;
 - g. Temporary Protection from Abuse Act proceedings;
 - h. Final Protection from Abuse Act proceedings where the presiding judge determines that a compelling interest (*e.g.*, eviction from premises or cases involving custody of a minor child) mitigates against a continuance or postponement;
 - i. Emergency matters in domestic relations or child custody cases;
 - j. Emergency petitions for guardianship;
 - k. Civil mental health reviews (50 P. S. § 7302);
 - l. Emergency equity civil matters;
 - m. Preliminary arraignments, acceptance of bail, issuing arrest and search warrants, and all other functions pursuant to Pennsylvania Rule of Criminal Procedure 117;
 - n. Preliminary hearings for incarcerated defendants; and
 - o. Any other case in which the presiding judge believes that a constitutional analysis requires that it be treated as essential. The presiding judge shall consider the

spread of COVID-19 and its continuing impact on public health and safety in conducting the constitutional analysis.

4. The use of advanced communication technology is AUTHORIZED consistent with constitutional limitations. The provisions of Pennsylvania Rule of Criminal Procedure 119(A)(1), (5), and (6) are overridden if the presiding judge determines that the constitutional rights of a defendant can be preserved.
5. Regular motions practice is SUSPENDED for the duration of time covered by the emergency declaration; however, consented-to-motions may be sent to the chambers of the assigned Judge for his/her consideration.
6. All Court calendars, scheduling notices, subpoenas, or other court orders compelling the appearance of an attorney, litigant, or other participant in any non-essential case are continued or postponed until further order of court. All non-essential hearings and conferences are cancelled for the duration of time covered by the emergency declaration, with the exception of those that may be handled through advanced communication technology. The staff of the assigned Judge will arrange those proceedings, after consultation with the parties.
7. Common pleas judges and magisterial district judges shall issue orders as necessary rescheduling any non-essential conference, hearing, and/or other proceeding that is continued, postponed, and/or cancelled pursuant to the Declaration of Judicial Emergency.
8. All time calculations for purposes of time computation relevant to court cases or other judicial business, as well as time deadlines, are SUSPENDED through April 14, 2020, or the end of the Declaration of Judicial Emergency, whichever is longer.

9. Any local rule of procedure that conflicts with this Order is SUSPENDED for the duration of time covered by the emergency declaration, including time requirements and limitations and/or filing deadlines established by said local rules.
10. Any jury trials scheduled for the week of April 13, 2020, are CONTINUED generally and shall be rescheduled by the Judge assigned to the case. Summoned jurors shall not be required to appear on April 13, 2020. Their service may be rescheduled to another term or cancelled at the discretion of the District Court Administrator. The operation of Pennsylvania Rule of Criminal Procedure 600 is SUSPENDED consistent with the Declaration of Judicial Emergency filed with the Supreme Court of Pennsylvania at docket No. 24 W.M. 2020; subject to constitutional provisions.
11. The District Court Administrator shall continue to be AUTHORIZED to:
 - a. Reassign judges or court personnel within the judicial district as needed to ensure the continuation of operations;
 - b. Change the duties and work hours of staff to handle matters consistent with this Order; and
 - c. Restrict, modify, reschedule, or cancel non-essential departmental operations.
This includes the scheduling of conferences and hearings before quasi-judicial officers.
12. The Booking Center in the Family Court Center shall have restricted hours and operations as determined by the District Court Administrator in consultation with the Chief Adult Probation Officer and the Warden of the Washington County Correctional Facility.

It is further ORDERED that the Administrative Orders dated March 16, 2020, and March 17, 2020, are hereby SUPERSEDED to the extent that their provisions conflict with this Order.

The District Court Administrator is DIRECTED to post a copy of this Order on all entry doors of the Washington County Courthouse and all magisterial district courts, and to post a copy on the Court's website at [www.washingtoncountycourt.com](#). A copy of this Order shall also be transmitted to the Washington County Bar Association for distribution to its members.

BY THE COURT:

 , P.J.
PRESIDENT JUDGE KATHERINE B. EMERY