

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA  
SECOND JUDICIAL DISTRICT**

IN RE: SUPPLEMENTAL ORDER :  
TO ADMINISTRATIVE ORDER :  
OF MARCH 18, 2020 :

No. A.D. 25-2020  
Supreme Court Docket No. 2020 APR - 1 AM 10: 53  
44 MM 2020

CLERK OF COURTS  
LANCASTER COUNTY, PA

**ADMINISTRATIVE ORDER**

AND NOW, this 1<sup>st</sup> day of April, 2020, consistent with the March 16, 2020 Order of the Pennsylvania Supreme Court declaring a general, statewide judicial emergency, the March 17, 2020 Declaration of Judicial Emergency for the Second Judicial District, the March 18, 2020 Order of the Pennsylvania Supreme Court closing all Pennsylvania courts to the public, the March 18, 2020 Administrative Order of this Court, and the recommendations of the Centers for Disease Control and Prevention regarding COVID-19, this Court hereby amends its previous Emergency Operations Administrative Orders and now ORDERS that the following actions be taken pursuant to Pa.R.J.A. No. 1952(B)(2):

1. All time calculations for the purposes of time computation relevant to court cases or other judicial business, as well as time deadlines, are suspended subject to constitutional restrictions.
2. All provisions of this Order apply to cases scheduled through April 30, 2020.
3. Until further Order of Court, the Lancaster County Courthouse is closed to the public.
4. Until further Order of Court, the Magisterial District Courts are closed to the public, with the exceptions set forth in the Magisterial District Courts section, below.

5. News media shall be permitted into court facilities but only in a manner that is consistent with public safety.
6. Sheriff's Deputies assigned to the Courthouse and any court facility are authorized to deny admission to or to remove a person who is visibly ill or who is exhibiting symptoms of COVID-19, provided that they provide such person with information (telephone number or email address) to enable them to initiate, participate in, or complete necessary essential court business/functions during the Judicial Emergency.
7. Only Judicial Operations personnel, Court Administration Office personnel, Court Reporters, and Sheriff's Office personnel shall be permitted in Chambers, the secure elevator, and the secure hallways of the Courthouse unless previously authorized by a Judge. Mental health review documents may be delivered by counsel directly to Chambers No. 11.
8. All individuals in the Courthouse and other court facilities shall comply with all CDC guidelines regarding COVID-19 ([https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html?CDC\\_AA\\_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fprepare%2Fprevention.html](https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fprepare%2Fprevention.html)) including, but not limited to, proper social distancing.
9. Only persons with essential court business shall be permitted into court facilities. The Sheriff's Deputies shall have the authority to limit the number of persons entering or remaining in a court facility at any given time to ensure public safety.

10. All court proceedings will be conducted by advanced communication technology, primarily audio or teleconference, pursuant to any protocol for teleconference hearings established by the presiding Judge.
11. Any existing Orders for fingerprinting and the requirement for fingerprinting, except for admission into the Lancaster County Prison, are suspended during the Judicial Emergency.
12. Until further Order of Court, no inmates or juveniles will be transported from state correctional facilities, county jails or prisons, or the Lancaster County Youth Intervention Center. Where the participation of the inmate or juvenile is required, advanced communication technology shall be employed.
13. When a court reporter or other approved form of recording court proceedings is unavailable, alternative forms of recording shall be permitted.
14. Alternative methods of signing, delivery and service of court documents and orders shall be permitted. This includes, but is not limited to, facsimile signatures, electronic signatures, proxy signatures and designated court employees authorized to sign on behalf of a judge after the judge has reviewed and approved the document for signature. *Pro se* litigants completing forms at the Lancaster County Court may authorize court employees to sign documents when necessary for the safety of the litigants and court employees. Under such circumstances, the court employee will sign his/her name to the document indicating that the litigant has reviewed the document and that all the information contained therein was provided by the litigant. If an employee must sign for a *pro se* litigant, he/she will do so in a manner allowing the litigant to see the employee sign the document.

## Civil

15. Jury and non-jury trials are suspended pending further Order of Court.
16. Effective immediately emergency motions and petitions for injunctive relief shall be restricted to matters involving public health and/or safety for and/or risk for human life concerns such as taking of residential property, ejection, eviction, addressing suspension of utilities and/or other public health issues or concerns involving immediate and irreparable harm, or any other emergency motion.
17. Until further Order of Court, all emergency motions and petitions for injunctive relief involving public health and/or safety for and/or risk for human life matters will be screened by emailing the emergency motion or petition for injunctive relief to [FlaudA@co.lancaster.pa.us](mailto:FlaudA@co.lancaster.pa.us).
18. If deemed to be an emergency under the guidelines of this Order, argument will be scheduled by the Court as soon as possible. Such emergency motions and/or petitions for injunctive relief will be heard by advanced communication technology, audio or teleconference pursuant to any protocol for teleconference hearings established by the presiding Judge.
19. The moving or petitioning party will be responsible to notify all other parties of the date and time of the oral argument or hearing.
20. If a party is unable to email their emergency motion or petition for injunctive relief to [FlaudA@co.lancaster.pa.us](mailto:FlaudA@co.lancaster.pa.us), the party may call Court Administration at 717-299-8041 Monday through Friday between the hours of 9:00 A.M. and 3:00 P.M. to make arrangements to have the emergency motion or petition for injunctive relief screened. Appointments for such screening will be made on a case by case basis.

21. Emergency motions and petitions for injunctive relief will be handled Monday through Friday at times scheduled by the Court.
22. Discovery Motions are suspended pending further Order of Court.
23. Arbitration hearings, including landlord/tenant arbitration hearings, are suspended until further Order of Court.
24. In any case specially assigned to a judge, all current proceedings are suspended until further Order from the assigned judge.
25. All previously scheduled motions, hearings, and/or oral arguments are suspended until further Order of Court.
26. All previously scheduled Lancaster County Sheriff's Sales are suspended until further Order of Court.
27. All executions of Writs of Possession by the Lancaster County Sheriff's Office are suspended until further Order of Court.

### **Criminal**

28. Jury and non-jury trials are suspended pending further Order of Court.
29. All court events, except as indicated below, are suspended until further Order of Court.
30. Motions are limited to bail hearings, motions to lift detainers, and other emergency matters. These hearings will be conducted by audio or teleconference.
31. All bail motions and emergency motions shall be filed through PACFile.
32. No new orders for electronic monitoring will be accepted by Adult Probation & Parole Services for supervision during the Judicial Emergency unless ordered by the Court. The Probation Office is hereby authorized to impose additional conditions

designed to ensure that defendants comply with home detention. Defendants currently on electronic monitoring will continue to be monitored during the Judicial Emergency.

33. Summary and statutory appeals are suspended until further Order of Court.

34. Defendants who wish to address warrants for failure to appear may do so by calling 717-299-8200, Monday through Friday between the hours of 9:00 A.M. and 3:00 P.M.

35. Pretrial Status Conferences and Call of the Trial Lists are suspended until further Order of Court.

### **Family**

36. Until further Order of Court, all support filings and payments will be made through the Pennsylvania Child Support website: [www.child.support.state.pa.us](http://www.child.support.state.pa.us) Further information can be found at <https://www-court-co.lancaster.pa.us/139/Domestic-Relations>. For emergencies, call Court Administration at 717-299-8141, Monday through Friday between the hours of 9:00 A.M. and 3:00 P.M.

37. Scheduled conferences and hearings in support, custody, equitable distribution, and divorce are suspended until further Order of Court.

38. All divorce motions shall be filed electronically with the Prothonotary. Any special relief or emergency divorce motions shall be directed to Judge David R. Workman's Chambers by email at [guerrerc@co.lancaster.pa.us](mailto:guerrerc@co.lancaster.pa.us) or by calling 717-735-2136.

### **Custody**

39. Emergency custody motions will be addressed on a case by case basis.

40. Any filed petition or motion deemed as being of an emergent nature by the filing party or seeking interim relief in any custody action will be forwarded by the Prothonotary and Court Administration to Judge Merrill M. Spahn, Jr., for further disposition of the petition or motion, regardless of other judicial assignment of the action.
41. If the Court deems the matter to be of an emergent nature, and all parties are represented by counsel, Judge Spahn's Chambers will contact counsel to schedule a telephonic conference, in lieu of a traditional Family Business Court presentation.
42. If the Court deems the matter to be of an emergent nature, and at least one party is unrepresented by counsel, Judge Spahn's Chambers will schedule a telephonic conference with all parties by written order. Any such written order will provide further guidance to all parties.
43. Any further questions regarding emergency custody matters shall be directed to Annie Flaud, Court Administration, at [FlaudA@co.lancaster.pa.us](mailto:FlaudA@co.lancaster.pa.us) or 717-299-8041.

### **Protection from Abuse**

44. Until further Order of Court, all Temporary Protection from Abuse matters will be handled through the Bail Administration Office between the hours of 8:30 A.M. and 1:30 P.M. Monday through Friday. Proceedings will be conducted using video conferencing equipment.
45. Final Protection from Abuse Hearings are suspended until further Order of Court.
46. Temporary Orders for Protection from Abuse shall remain in effect until the time of a scheduled hearing after the end of the Judicial Emergency unless otherwise indicated in the Temporary Order.

47. Until further Order of Court, Indirect Criminal Contempt (ICC) Complaints will not be accepted by private petition.

48. ICC Police Complaints will be accepted, and bail hearings will be held before a Magisterial District Judge using advanced communication technology. If a defendant is detained, a bail hearing shall be held before the Judge assigned to hear the Temporary Protection from Abuse Petitions.

49. Hearings on ICC Complaints are suspended until further Order of Court, unless the Court determines they can be handled using advanced communication technology.

### **Orphans' Court**

50. All scheduled conferences and hearings are suspended until further Order of Court.

51. All emergency motions will be heard by audio or teleconference.

52. Emergency motions shall be emailed to [MarkleyR@co.lancaster.pa.us](mailto:MarkleyR@co.lancaster.pa.us).

53. Involuntary civil commitment hearings will continue as scheduled and will be conducted by audio or teleconference.

### **Juvenile Delinquency**

54. All Juvenile Delinquency proceedings shall be conducted using advanced communication technology.

55. All hearings, including detention hearings and placement review hearings, will be conducted on Wednesdays and Thursdays.

56. Emergency motions will be filed through PACFile, and Juvenile Probation will notify the on-duty Juvenile Court Judge who will address the matter.



57. For emergency matters involving juvenile delinquency, please contact Juvenile Probation at 717-299-8161.

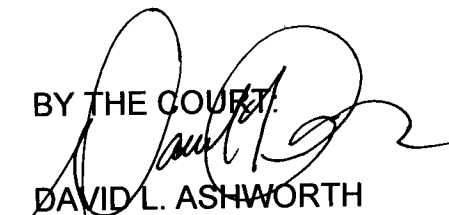
**Juvenile Dependency matters will be addressed in a separate Administrative Order**

### **Magisterial District Courts**

58. During regular business hours, all Magisterial District Courts are authorized to implement a plan to provide regional coverage whereby one Magisterial District Court in each region is designated to perform the essential services for all the Magisterial District Courts in their region if a Magisterial District Court is otherwise unavailable. The plan shall follow a day-duty schedule prepared by District Court Administration.
59. Preliminary hearings for incarcerated defendants shall continue to be held using two-way simultaneous video communication with all parties being located at a remote location. In the event live testimony is required, the preliminary hearing shall be continued until after the Judicial Emergency is no longer in effect.
60. Magisterial District Judges are authorized to conduct emergency Protection from Abuse proceedings telephonically and to provide the petitioner with a signed copy of the Order by email or facsimile.
61. Facsimile signatures are to be used as authorized by each Magisterial District Judge for documents generated in the Magisterial District Judge Computer System.
62. After review and approval, a Magisterial District Judge may permit staff to sign a criminal complaint on his or her behalf. The Magisterial District Judge shall utilize the procedures set forth below:

- The Magisterial District Judge shall review the criminal complaint and electronically notify staff of his or her approval.
- A record of this permission shall be attached to the criminal complaint.
- The form of signature shall include the name of the Magisterial District Judge followed by the initials of the clerk signing the criminal complaint.

63. Magisterial District Judges are authorized to issue arrest and search warrants using two-way simultaneous video communication, and electronic or facsimile signatures are acceptable.

BY THE COURT.  
  
 DAVID L. ASHWORTH  
 PRESIDENT JUDGE

Copies to: Lancaster County Board of Judges  
 Lancaster County Magisterial District Judges  
 Lancaster County District Court Administrator  
 Lancaster County Clerk of Courts  
 Lancaster County Prothonotary  
 Lancaster County Register of Wills  
 Lancaster County Sheriff  
 Lancaster County District Attorney  
 Lancaster County Public Defender  
 Lancaster County Adult Probation & Parole Services  
 Lancaster County Prison  
 Lancaster County Board of Commissioners  
 Lancaster County Solicitor  
 Pennsylvania State Police  
 Police Departments within Lancaster County