

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA

CIVIL DIVISION

IN RE: 27TH JUDICIAL DISTRICT)
DECLARATION OF JUDICIAL) Nos. 2020-1
EMERGENCY) 24 W.M. 2020

FILED
MAY 2020
L. J. PROTHONOTA

ADMINISTRATIVE ORDER

AND NOW, this 29th day of May, 2020, the Court declared a judicial emergency in the 27th Judicial District of Pennsylvania, effective March 16, 2020, and acknowledges the expiration of all previous Judicial Emergency Administrative Orders at the above-captioned docket numbers, effective June 1, and due to the continuing COVID-19 pandemic, the Court **AUTHORIZES** a renewed, limited declaration of emergency to safeguard the health and safety of court personnel, court users, and members of the public through the exercise of emergency powers under Pennsylvania Rule of Judicial Administration 1952(B)(2).

The Court finds that the entry of this Administrative Order is necessary because Washington County is still in the “Yellow Phase” of Governor Wolf’s plan for “relief, reopening, and recovery” due to the ongoing public health concerns related to the COVID-19 pandemic. As Washington County moves into the “Green Phase,” the Court will revise and refine its emergency procedures as appropriate, while being mindful that the vast majority of individuals that use our judicial facilities are compelled to do so. Accordingly, the 27th Judicial District will continue to implement and follow, to the extent possible, the guidelines for the COVID-19 pandemic as issued by the Centers for Disease Control and Prevention and the Pennsylvania Department of Health.

It is hereby **ORDERED** that the Court of Common Pleas and all Magisterial District Courts shall generally be open to the public for official business, subject to the following conditions and limitations:

1. All judicial officers shall perform their duties in the following manner:

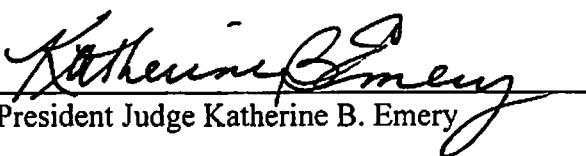
- a. Utilize advanced communications technology, when practicable, to reduce in-person appearances for proceedings;
 - b. Stagger court appearances;
 - c. Limit meetings, conferences, and other gatherings to essential participants; and/or
 - d. Liberally grant requests for continuances.
2. Common Pleas Judges shall coordinate the scheduling of high-volume dockets (*e.g.*, criminal plea days, protection from abuse proceedings, etc.) with the Court Administrator's office. Arrangements will be made to hold proceedings in an appropriately-sized courtroom.
3. Statewide rules that restrict, directly or indirectly, the use of advanced communication technologies are **SUSPENDED** for the duration of the judicial emergency. Proceedings involving incarcerated individuals will be scheduled via videoconference to avoid transportation by a deputy sheriff or constable. If the individual has a statutory or constitutional right to appear in person, and does not consent to a video appearance, then the matter will be continued and rescheduled by the judicial officer.
4. All individuals entering a judicial facility **SHALL** comply with the following, or be denied access and/or removed:
 - a. Submit to a temperature check and screening. No individual may enter a judicial facility with a fever of over 100.0°, or if exposure to or symptoms of COVID-19 are indicated;
 - b. Wear an appropriate mask or face covering that fits snugly around the face and leaves unexposed the nose and mouth of the individual, unless the individual has a documented medical condition or is 3 years of age or younger. It is specifically directed that staff shall wear a mask or face covering in all common areas, if

interacting with a member of the public, or in situations where social distancing is not possible. A presiding judicial officer may permit an individual to remove a mask to take testimony or where the presence of a mask would affect the ability to judge credibility, provided that the requirements for social distancing are followed; and

- c. Comply with social distancing guidelines, as well as any signage posted in or on judicial facilities or instructions from a judge, judicial officer, the district court administrator, deputy sheriff, constable at a magisterial district court, or court employee. Elected officials of court-related offices are responsible for establishing and maintaining procedures within their respective offices.
5. Regular Motions Court practice shall continue to be suspended and remote procedures shall remain in effect until further order of court. The temporary Motions Court procedures for the respective common pleas judges are set forth at www.washingtoncourts.us.
6. Magisterial District Courts are specifically authorized to:
- a. Modify their hours of operation, including times when in-person payments and filings may be accepted in order to permit for screening of the public; provided however, that any modification must be submitted to the District Court Administrator for approval by the President Judge. A notice of any modification of hours shall be posted on the door of the affected magisterial district court and displayed at www.washingtoncourts.us.
 - b. Use a constable to provide security and conduct COVID-19 screening. It is preferred, but not necessary, that the constable be certified to carry a firearm by the Pennsylvania Commission on Crime and Delinquency.

7. Quasi-judicial officers shall conduct hearings and conferences, whenever practicable, using advanced communications technology.
8. The Sheriff of Washington County, or his designee, is authorized to enforce this Order.
9. 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.washingtoncourts.us. 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