

IN THE SUPREME COURT OF PENNSYLVANIA

Docket No.

In Re: First Judicial District of Pennsylvania's Request Pursuant to Pa.R.J.A. 1952(B)(2)(m) to Temporarily Suspend or Modify Statewide Court Rules Regarding Prompt Trials and Utilization of Advanced Communication Technology

AND NOW, this day of June, 2021, Idee C. Fox, President Judge and Chair of the Administrative Governing Board of the First Judicial District of Pennsylvania, hereby requests the temporary suspension or modification of statewide rules, by Order of the Supreme Court pursuant to Pa.R.J.A. 1952(B)(2)(m) as follows:

1. Suspend

- a. In that there has been confusion regarding the suspension of Rule of Criminal Procedure 1013, confirm that said Rule has been suspended since March 17, 2020 and remains suspended through August 31, 2021; and confirm the continued suspension of Rule of Criminal Procedure 600 to August 31, 2021 so that the time period between March 17, 2020 and August 31, 2021 shall be excluded from the time calculations, and shall not be attributed to the Commonwealth or to the Defendant.
- b. Rule of Criminal Procedure 119A and 908 to allow continued use of advanced communication technology ACT in preliminary hearings, jury selection, bench trials, sentencing hearings, parole, probation, and intermediate punishment revocation hearings, Post Conviction Relief Act hearings and motion hearings. All judges and staff will preside in the courtroom and the court facilities. During the pandemic, the First Judicial District remained operational and has expanded operations. The use of ACT allows for continued prompt disposition of matters especially for Defendants incarcerated in Philadelphia and out-of-county facilities. The Department of Corrections has not yet resumed transportation of inmates. In addition, transportation of inmates in other counties has not

yet returned to pre-pandemic levels. The use of ACT has been favorably received by our justice partners in that it has proven efficient and effective. Municipal Court has conducted preliminary hearings using ACT and its continued use will allow for further prompt resolution of cases, and resolution of any inventory. Again, this has been favorably received by our justice partners.

2. The circumstances necessitating this Request include the following:
 - a. Resolution of matters in which Defendant is incarcerated and cannot be transported
 - b. Avoid delay by in the resolution of matters
 - c. Enable justice partners to effectively and efficiently resolve cases
 - d. Allow time for the court to effectively and efficiently continue the FJD's continued expansion of operations in conjunction with all criminal justice partners.

3. All of which necessitate the continued utilization of the above measures which have enabled to First Judicial District to conduct and resume judicial proceedings consistent with the Supreme Court orders issued from time to time at Nos. 531 and 532 Judicial Administration Docket, including Orders issued on April 28, 2021, May 27, 2021 and June 21, 2021. All ACT proceedings will be originated and operated from the Courtroom, with Judge and staff present.

4. Notice of this request for the temporary suspension or modification of statewide rules been or will be:
 - a. Posted on the court's website;
 - b. Distributed to the Philadelphia Bar Association for further distribution;
 - c. Submitted to the Administrative Office of Pennsylvania Courts for publication pursuant to Rule of Judicial Administration No. 1952(C)(5);and

- d. Published in *The Legal Intelligencer*, the legal publication designated by the court for publication of legal notices.
5. Interested parties are advised that objections to any emergency judicial order issued by the Supreme Court should be transmitted to the Supreme Court Prothonotary.

Date: _____

Honorable Idee C. Fox,
President Judge, Court of Common Pleas
Chair, Administrative Governing Board of the
First Judicial District of Pennsylvania