



## COMMONWEALTH COURT OF PENNSYLVANIA

### NOTICE

August 5, 2021

**Revised, September 10, 2021**

### CONTACT:

Prothonotary: 717-255-1661

### **Commonwealth Court September 20-24, 2021 Oral Argument Session To Be Conducted In Person in Harrisburg**

#### **Revised Notice with Updated COVID-19 Protocols**

In accordance with the Administrative Order of July 29, 2021 (*In Re: Commonwealth Court Oral Argument Sessions*), oral arguments scheduled before the Commonwealth Court of Pennsylvania for the week of September 20-24, 2021, will be conducted in person in the Pennsylvania Judicial Center (PJC) in Harrisburg. The Court notes that the PJC provides (1) spacious facilities and generous elevator access to courtrooms; (2) an upgraded indoor ventilation system with germicidal UV light system; and (3) existing infrastructure to support livestreaming of court proceedings.

**Updated COVID-19 Protocols\*** – Because of the evolving public health guidance provided by the CDC and the State Department of Health concerning the continuation of the COVID-19 pandemic, all persons entering the PJC for Commonwealth Court proceedings must note and adhere to the following COVID-19 protocols:

- To reduce the number of persons in the courtrooms and allow for social distancing, arguments before panels and the Court *en banc* will be divided into morning and afternoon sessions (9:30 a.m. and 1:00 p.m.).

- Upon entering the PJC for Commonwealth Court proceedings, all persons must complete a sign-in form with contact-tracing information and must attest to the following:
  - (a) That they have not tested positive for COVID-19 within the previous 14 days;
  - (b) that they are not currently awaiting the results of a COVID-19 test;
  - (c) that they have not been advised or directed to either isolate or self-quarantine under CDC or Department of Health guidance or by any healthcare provider;
  - (d) that they have not had symptoms consistent with COVID-19 within the previous 14 days, such as a temperature in excess of 100.4 degrees Fahrenheit, chills, cough, shortness of breath or difficulty breathing, unusual fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion, nausea or vomiting, or diarrhea; and
  - (e) that they, within the previous 14 days, have not had known close contact (within 6 feet of someone for a cumulative total of 15 minutes or more over a 24-hour period) with a person who has been diagnosed with COVID-19.

Any person who cannot make this attestation may not attend proceedings in person. **Counsel** who cannot make this attestation on the day of argument should stay home and so advise the Court's Prothonotary at the above-listed telephone number as soon as possible to reschedule argument or submit on briefs.

Any person who participates in or observes a courtroom proceeding and subsequently tests positive for COVID-19 within 14 days after the proceeding shall notify the Court's Prothonotary at the above-listed telephone number.

- The courtrooms will be open to all counsel and observers, but capacity will be subject to limits to maintain appropriate social distancing relative to counsel tables, the podium, the bench, and the gallery. Court criers and Pennsylvania Capitol Police have complete discretion to restrict access to courtrooms to ensure social distancing. In light of the limited capacity in the courtrooms for observers, the Court will provide a platform to livestream oral arguments (see below).

- The Court requests that all members of the public, including counsel, wear a facemask in the public areas of the PCJ and the courtrooms regardless of vaccination status. Counsel may remove their mask when they are at the podium. Judges, who will be physically distanced from each other and others in the courtroom, may also remove their masks during argument. The Court will make facemasks available at the entrances to the courtrooms.
- The Court will provide hand sanitizer at the courtroom entrances, counsel tables, and the podium. In addition, the Court will provide sanitizing wipes at the podium to allow counsel to wipe down surfaces during transition periods if they desire. Court personnel will wipe down counsel tables and the podium between cases.
- All persons must follow all other posted COVID-19 protocols in the PJC and in the Commonwealth Court courtrooms and areas immediately adjacent thereto.

**Livestreaming** – The Court will provide a platform to livestream oral arguments through a public web link that will be posted on the Court’s website in advance of the argument session. Because of limited seating capacity in the courtrooms, interested persons other than counsel of record who are arguing before the court, including co-counsel who are not arguing, parties, the public and media, etc., are strongly encouraged to view the arguments by livestream.

**\*Circumstances and guidance regarding COVID-19 protocols are subject to change. Accordingly, counsel, the public and the media are advised to monitor individual case dockets and the Court's website for additional information and updates.**



Commonwealth Court of Pennsylvania

In-person Proceeding Sign-in and COVID-19 Attestation Form

Upon entering the Pennsylvania Judicial Center (PJC) for Commonwealth Court proceedings, all persons must complete this form with contact-tracing information and must answer and attest to the questions below.

Printed Name:			
Telephone No.:		Email Address:	
Courtroom No.:		Arrival Time:	
Participant Role:	<input type="checkbox"/> Counsel <input type="checkbox"/> Witness <input type="checkbox"/> Observer <input type="checkbox"/> Other: _____		

**Screening Questions: Answer Yes or No to each question.**

1. Do you have a fever (above 100.4 F)? **Yes / No**
2. Have you had COVID-19 symptoms within the past 14 days? **Yes / No**
  - Cough
  - Shortness of breath or difficulty breathing
  - Fever
  - Unusual fatigue
  - Muscle or body aches
  - Headache
  - Chills
  - Sore throat
  - New loss of taste or smell
  - Congestion or runny nose
  - Nausea or vomiting
  - Diarrhea
3. Have you had a positive COVID-19 test within the past 14 days? **Yes / No**
4. Are you currently awaiting the results of a COVID-19 test? **Yes / No**
5. Have you had known close contact (within 6 feet of someone for a cumulative total of 15 minutes or more over a 24-hour period) with a person who has been diagnosed with COVID-19? **Yes / No**

**If you answered YES to any question you may not attend proceedings in person and must leave the PJC immediately. Counsel who cannot make this attestation on the day of the proceeding should so advise the Court's Prothonotary at 717-255-1661 as soon as possible.**

Pursuant to 18 Pa.C.S. § 4904 (relating to Unsworn Falsification to Authorities), I declare under penalty that the foregoing is true and correct. Further, I agree to follow all posted COVID-19 protocols in the PJC and in the Commonwealth Court courtrooms and areas immediately adjacent thereto, as well as any decorum order that may be entered in a particular matter.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**Submit completed form to Court personnel at PJC entrance before proceeding to the Courtroom.**