

IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

IN RE: 52nd JUDICIAL DISTRICT - :
DECLARATION OF JUDICIAL : NO. 45 MM 2020
EMERGENCY (LEBANON COUNTY) :

1. John C. Tylwalk, President Judge of the 52nd Judicial District, hereby requests the following relief by Order of the Supreme Court:

a. Authorize the President Judge to declare and/or extend the judicial emergency previously declared in this judicial district and take any actions authorized by Pa.R.J.A. No. 1952(B)(2).

b. Suspend or modify statewide procedural or administrative rules in this judicial district as follows:

i. Authorize the expanded use of advanced communication technology (“ACT”) to conduct court proceedings as follows:

(a) Incarcerated individuals to participate via ACT.

(b) Attorneys and other court staff to be present in the courthouse, judicial center or other court facility whenever is being conducted by ACT.

(c) Judges shall be present in the courthouse, judicial center or other court facility whenever is being conducted by ACT, except for extraordinary circumstances , such as when court properties have been closed due to inclement weather or other emergency under Pa.R.J.A. Nos. 1950-1954, or when a proceeding is not being conducted during normal business hours.

ii. This authorization shall apply to preliminary hearings, sentencing proceedings, violation hearings, transfer hearings and proceedings pursuant to the Post Conviction Relief Act.

iii. Such authorization shall continue through August 31, 2021.

2. The circumstances necessitating this request for an emergency judicial order are as follows: Conducting hearings via ACT provides a greater level of security for courthouse staff and reduces the disruption of the defendant at the facility by negating the need for quarantine as a result of transport. The use of ACT is also necessitated by the reduced workforce and allows for prison and sheriff staff to be utilized for other functions.

3. To the extent possible and practical under the circumstances, notice of this request for an emergency judicial order has been or will be:

- a. Posted in the courthouse or other judicial office;
- b. Posted on the court's or county's website;
- c. Posted on the county bar association's website;
- d. Submitted to the Administrative Office of Pennsylvania Courts for publication pursuant to Rule of Judicial Administration No. 1952(C)(5);
- e. Published in the legal publication designated by the court for publication of legal notices;
- f. Published in a newspaper of general circulation within the County.

4. Interested parties are advised that objections to any emergency judicial order issued by the Supreme Court should be transmitted to the Supreme Court Prothonotary.

7-9-2021
DATE



JOHN C. TYLWALK P.J.