



nearly four times the statewide average.

- b. The Delta Variant of COVID-19, in conjunction with low vaccination rates, has proven particularly contagious and poses significant health, safety, and welfare issues, especially for children under the age of 12 who are unable to be vaccinated.
- c. Notwithstanding, all courts in the 43rd Judicial District have been open since our declaration of judicial emergency.
- d. We have been able to remain open throughout this pandemic by using both ACT and in-person proceedings at our Magisterial District Courts and the Court of Common Pleas.
- e. Most notably, in May 2021, by using a combination of ACT and in-person proceedings, we resumed civil and criminal jury trials with Pandemic-related precautions in place, in addition to having had jury trials in September, October, and November of 2020 with similar precautions.
- f. Additionally, the vaccination rate of our local jail population is also well below the statewide average and ACT has proven to increase the safety of prisoners while providing a cost-effective alternative to the often unnecessary transport of prisoners to and from in-person proceedings.
- g. Indeed, with 85% or more of preliminary hearings being waived and the Magisterial District Justice offices of this Judicial District not providing enough space to effectively implement social distancing precautions, ACT proceedings in this Judicial District have and continue to be invaluable to the health, safety, and welfare of all involved while maintaining the ability to move cases through the

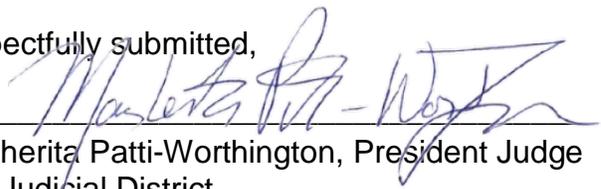
judicial process.

- h. Lastly, because the use of ACT has proven so effective in this Judicial District at preventing further backlog of cases, orders have been filed and service has been effectuated scheduling court proceedings using ACT into September 2021.

**WHEREFORE**, it is respectfully requested that in consideration of efficiencies in reducing backlog, cost effectiveness, and the health, safety, and welfare of the public, court and county employees, and the judges and staff of the 43rd Judicial District, this Court provide the following relief:

1. Authorize the President Judge of the 43rd Judicial District to extend the judicial emergency currently in effect, or, in the alternative, authorize the President Judge to declare a new judicial emergency, through September 30, 2021.
2. Authorize the President Judge of the 43rd Judicial District to take any actions authorized by Pa.R.J.A. No. 1952(B)(2).
3. Authorize the President Judge of the 43rd Judicial District to continue to suspend any state or local rule that restricts, directly or indirectly, the use of ACT in court proceedings until September 30, 2021, with the exception of Pa.R.Crim.P. 600, to allow the continued use of ACT where at all possible and practicable for any and all proceedings within this Judicial District. Specifically, rules sought to be suspended include, but are not limited to, Pa.R.Crim.P. 119 and Pa.R.J.C.P. Nos. 129 and 1129.

Respectfully submitted,

  
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Margherita Patti-Worthington, President Judge  
43rd Judicial District  
Monroe County, Pennsylvania