

2020-0152R-CM

CLERK OF COURTS
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IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA

OFFICE OF THE
PROTHONOTARY
CHESTER COUNTY, PA

2020 MAR 19 PM 1:02

FILED

IN RE: DECLARATION OF JUDICIAL EMERGENCY IN THE 15TH JUDICIAL
DISTRICT ON ACCOUNT OF COVID-19 ("CORONAVIRUS")

ADMINISTRATIVE ORDER NO. 6-2020;
SUPREME COURT DOCKET NO. 54 MM 2020

AND NOW, this 19th day of March 2020, in consideration of the Pennsylvania Supreme Court's March 16, 2020 order declaring a statewide judicial emergency until April 14, 2020 on account of COVID-19, this court's March 17, 2020 declaration of emergency within this 15th Judicial District cancelling and suspending jury trials and certain hearings/proceedings through April 13, 2020, and the Pennsylvania Supreme Court's March 18, 2020 order directing that all Pennsylvania courts are generally closed to the public beginning at the close of business on March 19, 2020, it is hereby **ORDERED** and **DECREED** as follows:

1. All Chester County courts of common pleas and magisterial district courts generally will be closed to the public for non-essential functions beginning at the close of business on March 19, 2020, through April 13, 2020.

Common Pleas Courts

2. The essential functions for which the public will be permitted to enter the common pleas courts are the following:
 - a. Emergency bail review and habeas corpus hearings;
 - b. Gagnon I hearings;
 - c. Bench warrant hearings pursuant to Rule of Criminal Procedure 150;
 - d. Juvenile delinquency detention hearings;
 - e. Juvenile emergency shelter and detention hearings;
 - f. Protection from abuse hearings;
 - g. Emergency petitions and hearings for child custody;
 - h. Emergency petitions for guardianship and older adult matters;
 - i. Civil mental health reviews;
 - j. Emergency equity civil matters (injunctions and stays);
 - k. Violation of parole/probation hearings for incarcerated defendants;

- l. Indirect criminal contempt hearings for incarcerated defendants;
 - m. Extradition hearings;
 - n. 72 hour detention hearings;
 - o. Time served guilty pleas for incarcerated defendants;
 - p. SAVE hearings;
 - q. Emergency support hearings;
 - r. Any proceeding in which an incarcerated person is likely to be released from custody, e.g., Gagnon II hearings; and
 - s. Any matter relating to public health concerns and involving immediate and irreparable harm as determined by the judge then assigned to that area of essential functions.
3. The Chester County Sheriff deputy in command of the Justice Center entrance shall contact the court administrator regarding any member of the public seeking to enter the Justice Center for any purpose related to the above essential functions. The judge assigned to that area of essential functions shall determine whether the person may be admitted entry.
4. All court calendars, scheduling notices, subpoenas or other court orders compelling the appearance of any attorney, litigant, or other participant in any non-essential case are hereby continued or postponed through April 13, 2020.
5. All jury and non-jury trials, both criminal and civil, are hereby canceled and suspended through April 13, 2020.
6. Unless otherwise required herein, any in-person pretrial conference, case management conference, status conference, diversionary program, discovery motions practice, motions practice or other hearing, whether civil or criminal, is hereby postponed through April 13, 2020, unless the assigned judge determines that such matter may be handled through advanced communication technology consistent with constitutional limitations.
7. All hearings on essential functions shall be held in courtrooms to minimize person-to-person contact.
8. The above described essential functions shall be performed by judges assigned by the court administrator's office, as deemed appropriate.

Magisterial District Courts

9. The essential functions for which the public will be permitted to enter the Chester County magisterial district courts are the following:
- a. Preliminary arraignments (bail setting) for bailable cases;
 - b. Criminal case filings and subsequent processing;
 - c. Issuance of search warrants;
 - d. Emergency protection from abuse petitions; and
 - e. Any matter relating to public health concerns and involving immediate and irreparable harm as determined by the judge.

(Essential functions for the magisterial district courts do not include summary offense arrest processing. Magisterial district judges are directed not to participate in or authorize such summary offense arrests through April 13, 2020.)

10. Payments rendered to the magisterial district courts will not be made in person but may be accepted by mail or electronically (online), as may be permissible in the magisterial district court receiving the payment. In the event any scheduled payment is missed, or default of a payment plan previously imposed by the court occurs, the magisterial district court shall issue a hearing notice scheduling a payment determination hearing to be held after April 13, 2020. Such missed payment or default shall not result in the issuance of an arrest warrant for failure to make a payment, nor shall the non-payment result in driving privileges being suspended, prior to such hearing.

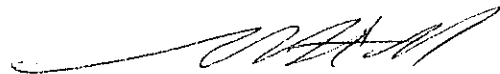
General

11. Through April 13, 2020, no officer, official, or other person employed by the Chester County court of common pleas or magisterial district courts shall effectuate an eviction, judgment, or other displacement from a residence based upon the failure to make a rent, loan, or other similar payment. Nothing herein is intended to preclude requests for orders of possession resulting from judgments entered in landlord-tenant actions to be filed by mail. However, any execution on an order of possession is hereby stayed through April 13, 2020.
12. All previously scheduled trials, hearings or other in-person appearances, not otherwise referenced herein and which do not fall within the essential functions defined above, are hereby canceled and suspended through April 13, 2020, including any for the juvenile

probation office, adult probation office, court reporters' office, and domestic relations office. Said offices shall use advanced communication technology to provide such canceled and suspended services if possible.

13. The Chester County Sheriff and her deputies are hereby authorized and directed to prevent the entry of any person into the Justice Center who appears to be sick or may have recently (within the last 14 days) been in contact with someone who is positive for coronavirus. The Sheriff and the court administrator shall provide, if possible, handheld no contact thermometers to Sheriff deputies to assist them in determining if someone is sick. The magisterial district judges and their staffs, are similarly authorized and directed to decline the entry of any person into their court facility who appears to be sick or may have recently (within the last 14 days) been in contact with someone who is positive for coronavirus. The court administrator shall also provide, if possible, handheld no contact thermometers to the magisterial district courts to assist them in determining if a person is sick.
14. Protocols utilized to implement this Administrative Order may be communicated by email and other methods among judges and relevant department heads as is necessary to efficiently ensure judicial coverage for all essential functions described above.
15. These additional modifications to the 15th Judicial District's functions supersede and replace any modifications described in the March 12, 2020 Administrative Order 4-2020, the March 13, 2020 Amendment to that Administrative Order and the March 17, 2020 Second Amendment to that Administrative Order, to the extent that there is a conflict between these modifications and those preceding modifications.
16. This Administrative Order is effective immediately.

BY THE COURT:



JOHN L. HALL

P.J.