

NEWS FOR IMMEDIATE RELEASE

May 8, 2020

39th JUDICIAL DISTRICT – FRANKLIN AND FULTON COUNTIES

COURTS TO RESUME HEARING MOST CASES MONDAY, MAY 11, 2020

On Monday, May 11, 2020 the Common Pleas Court, Magisterial District Court, Masters, Hearing Officers and Domestic Relations Offices of the 39th Judicial District which encompasses Franklin and Fulton Counties, Pennsylvania will resume hearing all matters under their jurisdiction. All proceedings will be subject to certain limitations and with an emphasis on using Advanced Communication Technology (ACT) such as videoconferencing to limit the number of individuals admitted to the courtrooms and hearing rooms in the court facilities.

President Judge Meyers issued the following statement,

While the court is aware of Governor Wolf's stay at home order for Franklin County through June 4, 2020 and a lifting of the stay at home order for Fulton County, the court appreciates that justice delayed is justice denied. Although there is a continued need to take prudent steps to limit the possibility of the spread of COVID-19 in our community, I have been cognizant of the impact the closure of the courts have had on the rights, interests and liberties of our citizens. The Pennsylvania Supreme Court has extended the judicial emergency until June 1, 2020, while also authorizing and encouraging all courts to provide parties access and due process by video and audio and limited in-person appearances. Within the 39th Judicial District we will continue to act prudently while moving forward with efforts to provide fair and timely hearings to all. I hope that the efforts of our scientific and medical community to find either a vaccine or verified treatment are successful so that we can resume ordinary routines. Until then, the courts will observe recommended protocols to afford persons the opportunity to exercise appropriate measures for their personal health and safety, while also exercising their constitutional and statutory rights. The court has also been assured by the leadership of Franklin County that CDC recommended protocols for cleaning and sanitizing common spaces and court facilities will be followed during the judicial emergency.

Here is a summary of the limitations and authorized acts under the Pennsylvania Supreme Court dated April 30, 2020 and the 39th Judicial District Sixth Supplemental Order dated April 30, 2020:

1. Jury trials are suspended through June 1, 2020. The resumption of the selection of jury trials after June 1st, 2020 shall only be conducted taking into account compliance with prevailing health and safety norms and as maybe be consistent with best practices outlined by the Pennsylvania Supreme Court, Administrative Office of Pennsylvania Courts or their designee. The 39th Judicial District has initiated committees in both counties to review and establish a practice for proceeding and will release its recommendations to the President Judge in adequate time to implement them at the conclusion of the judicial emergency.

2. From May 1, 2020 until May 11, 2020, in-person access shall be strictly limited to those specifically identified in the Pennsylvania Supreme Court order of April 28th, 2020 as essential functions or as also identified as essential functions in the five prior 39th Judicial District judicial emergency orders issued by President Judge Meyers. Video and audio proceedings will still be the preferred manner to conduct any and all hearings if possible.
3. On May 11, 2020, all courts including Common Pleas Judges, Magisterial District Judges and hearing masters/officers will begin to hear all cases on the docket, provided no in-person proceeding will be conducted in a way to violate social distancing requirements and so as not to exceed the CDC recommended guideline of no more than 10 persons in any courtroom or hearing room, until the limits are expanded by subsequent issue of court. When possible, the court will continue to use videoconferencing or audio technology to conduct hearings. Court Administration shall take reasonable steps to provide self-represented parties shall have the same access to the courts as represented parties. Magisterial District Judges shall have the ability of non-appearance warrants to be issued and served by constables.
4. The filing deadlines set forth in the Pennsylvania Supreme Court order dated April 28, 2020, are adopted for the 39th Judicial District. Per the Pennsylvania Supreme Court Dispossession of Property, Landlord-Tenant actions and/or eviction actions are stayed until May 11, 2020 at which time they may resume to be heard and processed. The court notes that Governor Wolf has issued an executive order staying all Landlord Tenant and Mortgage Foreclosure actions until July 10, 2020, the effectiveness of his actions to be determined by the presiding judge having jurisdiction on a case by case basis.
5. In order to provide the public with access, and noting that the court does not have ease of providing live streaming, in the event any person desires to access a court proceeding, he or she shall notify Court Administration of the request so that the court can consider the request to provide access. In the alternative, all proceedings that are recorded by a court stenographer will be made available to be listened to by the public following the proceeding upon a request to Court Administration.
6. All prior orders establishing a new schedule for criminal docket matters to accommodate videoconference hearings for incarcerated defendants are extended through June 1, 2020.
7. Each Magisterial District Court in the 39th Judicial District, Master/ Hearing Officer/ Conciliator and Domestic Relations Office has developed a set of procedures for the admission of the public, conduct of hearings and receipt of payments consistent with the Pennsylvania Supreme Court order dated April 28, 2020, which have been posted on the Franklin or Fulton County websites and where appropriate on the doors of the office to which they apply.

President Judge Meyers, the entire board of judges and Court Administration appreciate the continued cooperation that has been provided by Franklin and Fulton County government, the Boards of Commissioners, the various public and private offices affected and the members of the bar associations of both counties who have joined together with the community at large to ensure all reasonable efforts are made to preserve and protect the public safety while still providing access to the courts.

For up-to-date information, visit:

CDC: <https://www.cdc.gov/coronavirus/2019-nCoV/index.html>

Department of Health: <https://www.health.pa.gov/topics/disease/Pages/Coronavirus.aspx>

For more information, please contact Mark Singer, District Court Administrator for the 39th Judicial District, at msinger@franklincountypa.gov or 717-261-3848.