IN THE COURT OF COMMON PLEAS FOR THE 39TH JUDICIAL DISTRICT Franklin County and Fulton County Branches

PROTHONOTARY
FRANKLIN COUNTY PA
2020 MAR 27 PM 4:24
TIMOTHY S SPONSELLER
PROTHONOTARY
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In Re: 39th Judicial District : Emergency Judicial Order

2020 -1129

Second Supplemental Emergency Judicial Order

AND NOW this 27th day of March, 2020, in accordance with the Order of the Supreme Court of Pennsylvania dated March 18, 2020, directing that all Pennsylvania Courts are generally closed to the public, beginning at close of business on March 19, 2020 and lasting through, at least April 3, 2020, subject to General and Specific Directives and Exceptions set forth therein;

AND WHEREAS, the Chief Justice of the Pennsylvania Supreme Court Thomas Saylor, previously issued an order on March 16, 2020 authorizing this Court to declare a Judicial Emergency;

AND WHEREAS, the undersigned President Judge for the 39th Judicial District did declare a Judicial Emergency for the 39th Judicial District comprised of Franklin County, Pennsylvania and Fulton County, Pennsylvania by Order of Court dated and filed March 18, 2020;

AND WHEREAS, the Judicial Emergency Order for the 39th Judicial District dated March 18, 2020 implemented General and Specific Directives and Exceptions regarding access to the Courthouses and Court facilities within the Judicial District, the suspension or continuance of Court proceedings, the permission to conduct emergency proceedings in order to protect the interest of the disabled, victims of abuse, minors and juveniles and other rights guaranteed to criminal defendants constitutionally;

AND WHEREAS, the March 18, 2020 Judicial Emergency Order was filed with the Court Administrator for the Commonwealth of Pennsylvania, Geoff Moulton and distributed as required by Supreme Court Order and posted on all Courthouse doors;

AND WHEREAS, the Chief Justice of the Pennsylvania Supreme Court, Thomas Saylor has determined that "significant and material events have transpired since the prior orders were filed", including federal government guidance suggesting an immediate need for extraordinary nationwide measures and a letter request from the

ATTEST A TRUE COPY
Dena Sellers
TIMOTHY S. SPONSELLER PROTHONOTARY

Pennsylvania Secretary of Health urging the Pennsylvania Supreme Court to consider statewide closure of the Courts, except for essential services, for a period of approximately fourteen days in order to further restrict the amount of person to person contact and mitigate the spread of COVID-19;

AND WHEREAS, the Chief Justice of the Pennsylvania Supreme Court in response to the reasons outlined above issued an order March 18, 2020 directing that all Pennsylvania Courts are generally closed to the pubic beginning at the close of business on March 19, 2020 and lasting through at least April 3, 2020, subject to the General and Specific Directives and Exceptions;

AND WHEREAS this Court issued a Supplemental Judicial Emergency Order dated March 19, 2020 which incorporated and adopted in full the Order of Court issued by Chief Justice Thomas Saylor, dated March 18, 2020 and confirmed that the Courts of the 39th Judicial District are generally closed to the public beginning at the close of business March 19, 2020 and lasting through at least April 3, 2020, subject to certain modifications, which are not inconsistent with the March 18, 2020 Order of Court issued by Chief Justice Thomas Saylor, but are consistent with the prior Emergency Judicial Order dated March 18, 2020 entered by this Court;

AND WHEREAS this Court has identified a type of case, final Protection From Abuse Hearings, as essential to court functions and under the necessity of affording parties due process need to be afforded the opportunity to be heard on an emergency basis, if requested by the parties, subject to each application for a final hearing to be evaluated on a case by case basis by the court and subject to scheduling as ordered by the presiding judge of the Protection From Abuse Case docket;

IT IS HEREBY ORDERED that

Paragraph 4.a. of this Court's Emergency Order dated March 18th, 2020 is hereby amended to read as follows:

Emergency Protection from Abuse cases in which no temporary order has been entered, (ex parte presentations) shall continue to be permitted access to the Court upon petition and coordination of scheduling with Court Administration. The Court will not schedule a final hearing in a Protection from Abuse case until further Order of Court lifting the suspension/judicial emergency. Either party may file a written motion requesting a final hearing and shall set forth the emergency reasons in their motion. The presiding PFA judge will consider motions on a case-by-case basis. If no party requests a final hearing or a motion for hearing is denied, the Court will issue an order setting a final hearing once the Judicial Emergency Order is lifted.

Paragraph 4.e. of this Court's Emergency Order dated March 18th, 2020 is hereby amended to read as follows:

Emergency Guardianship hearings may also be conducted by the Orphans' Court for any existing scheduled case for a final or permanent order for guardianship as an essential court function to insure that no alleged incapacitated person is at risk of irreparable harm as set forth in 23 Pa.C.S § 5513. The presiding judge may direct the parties to appear for a hearing using whatever technology is advisable.

Paragraph 7. of this Court's Emergency Order dated March 18th, 2020 is hereby amended to add the following paragraph:

The presiding judge or judges of Good Wolf Treatment Court may schedule and conduct any proceeding as to any participant who is incarcerated in the Franklin County Jail including but not limited to, removal proceedings, revocation of bail, arraignment, plea, sentence or re-sentence as an essential court function and consistent with the Court's policy of disposing cases of defendants and detainees in the Franklin County Jail.

Paragraphs 8 and 9 of this Court's Emergency Order dated March 18th, 2020 are hereby adopted for the processing of juvenile matters in the 39th Judicial District as essential court functions.

BY THE COURT
Signed: _____ P.J.

Dated: March 27, 2020

Dist: CA

Hon. Angela Krom

Hon. Jeremiah Zook

Hon. Todd Sponseller

Hon. Mary Beth Shank

MAR 27 2020
ATTEST: A TRUE COPY

Clerk of Courts

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Pennsylvania Secretary of Health urging the Pennsylvania Supreme Court to consider statewide closure of the Courts, except for essential services, for a period of approximately fourteen days in order to further restrict the amount of person to person contact and mitigate the spread of COVID-19;

AND WHEREAS, the Chief Justice of the Pennsylvania Supreme Court in response to the reasons outlined above issued an order March 18, 2020 directing that all Pennsylvania Courts are generally closed to the pubic beginning at the close of business on March 19, 2020 and lasting through at least April 3, 2020, subject to the General and Specific Directives and Exceptions;

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