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

In Re: 39th Judicial District : Emergency Judicial Order

AD 32-2020

MAR 30 2020
ATTEST: A TRUE COPY
Clerk of Courts

Third Supplemental Emergency Judicial Order
Extending the Judicial Emergency for the 39th Judicial District
through April 14, 2020

AND NOW this 30th day of March, 2020, in accordance with the Order of the Supreme Court of Pennsylvania dated March 16, 2020, authorizing each President Judge of a judicial district to declare a Judicial Emergency up through and including, Tuesday, April 14, 2020 and to take such actions thereto to make the courts available for emergency matters, but to otherwise close the courts for the purpose of assisting state, regional and local leaders in the effort to stem the tide of COVID-19;

AND WHEREAS within two days of the issuance of the Pennsylvania Supreme Court's Order authorizing President Judges to declare a judicial emergency based upon the impact COVID-19 was having upon their respective judicial districts, a majority of all President Judges issued orders declaring an emergency and entering orders closing courts, while providing emergency access;

AND WHEREAS, Chief Justice Saylor of the Pennsylvania Supreme Court issued a second order dated March 18, 2020, declaring and ordering 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's March 18th, 2020 order did not prohibit or revoke the previous authorization of the President Judge of a judicial district under the March 16, 2020 order to declare a Judicial Emergency through April 14, 2020;

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 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 President Judge in conjunction and with the support of the board of judges of the Court of Common Pleas of the 39th Judicial District, Court Administration and various court and county agencies has modified practices to maintain operations, while minimizing the activities that contribute to the spread of COVID-19;

AND WHEREAS The President Judge has continued to monitor the health of the community and citizens of the 39th Judicial District and the current and potential impact of COVID-19 and finds the following:

- On March 17, 2020 there were no confirmed cases of COVID-19 in the 39th Judicial District comprised of Franklin and Fulton Counties.
- As of 12:00 p.m. Sunday, March 29, 2020, there are 11 cases of COVID-19 in Franklin County per the Pennsylvania Department of Health. There are no reported cases in Fulton County.
- On March 19, 2020 the Governor of Pennsylvania issued an order closing many commercial businesses in order to limit community spread including legal services not in support of emergency proceedings before the court.
- COVID-19 is spread most quickly through large public or private gatherings in which infected persons who may or may not appear to have symptoms spread the virus through projections of droplets of their breath into the air or onto surfaces. The virus most easily spreads through person to person contact.
- Schools in Pennsylvania remain closed throughout April 6, 2020. A majority of schools in the 39th Judicial District will remain closed until at least April 14, 2020, if not for the rest of the 2019-2020 school year.

- Many of the largest organized religious bodies, churches and faith groups have decided to forego services and large gatherings up through and including Easter, a most holy and reverent time for a large segment of our community.
- Other important traditional observations and opportunities for gathering continue to be held without the attendance of guests, invitees or family throughout both counties, including weddings, birthdays and funerals.
- Despite substantial financial hardship many businesses have closed or scaled back employee shifts to reduce the possibility of community spread of COVID-19.
- Governor Wolf has issued stay at home orders for all residents in nineteen counties currently experiencing greater levels of infection than the 39th Judicial District in an effort to stem the community spread of COVID-19.
- The Pennsylvania Supreme Court and the other appellate courts have discontinued all proceedings such as argument court through April 21, 2020.
- Most court proceedings in the United States Middle District Court have been continued for a period of 60 days, from March 23, 2020.
- Contiguous counties in Pennsylvania and Maryland which share major highways and permit easy travel to and from the 39th Judicial District including the Pennsylvania Turnpike, Interstates 70 and 81, State Routes 11, 16, 30 and 997 have confirmed cases of COVID-19.
- Many court proceedings, including custody presentations, criminal dispositions, PFA and all civil and criminal jury selections require the gathering of groups of people including but not limited to: citizens, litigants, attorneys, court staff, and sheriff's deputies, in areas that do not afford the suggested distance of six feet to prevent the spread of COVID-19.
- Those who are summoned to court and fail to appear can be subject to the issuance of a warrant or summons and taken into custody, thus in the absence of closure of the courts, the compulsion to appear for scheduled court hearings is great.
- The courts and the filing offices that support the courts in the 39th Judicial District have devised alternative systems to afford persons in need of emergency access to file documents both civil and criminal without having person to person interaction with court or filing office staff. The courthouse itself is open to permit individuals and counsel the opportunity to file documents by physically placing them in drop boxes or sending them via United States Postal Service, other delivery services, or electronically, thus assuring that due process is provided.
- The courts of the 39th Judicial District have the availability to afford parties due process on an emergency basis during the period of judicial emergency as approved by Chief Justice Saylor.

- There is no assurance at this time by any reasonable projection of the CDC, Pa. Department of Health or other reputable medical or epidemiological service or institution that the citizens of the 39th Judicial District are beyond the time for infection, hospitalization and treatment for COVID-19, nor will be safe before April 14, 2020 if they appear for court proceedings at the Franklin County Courthouse, Fulton County Courthouse or other court.

AND WHEREAS this Court for all the reasons heretofore identified has concluded that in order to contribute to the local, regional , state and national effort to stem the tide of the spread of the COVID-19 virus;

IT IS HEREBY ORDERED THAT THE JUDICIAL EMERGENCY IS EXTENDED UP TO AND THROUGH, TUESDAY APRIL 14, 2020.

All prior orders emergency/administrative/supervisory which have established operations or the conduct of business during the judicial emergency is hereby incorporated and adopted and proceedings shall continue in accordance with those orders up to and through April 14, 2020.

BY THE COURT,

Signed: Shan W Mayers
P.J.

Dated: March 30, 2020

Dist: CA

Hon. Angela Krom

Hon. Jeremiah Zook

Hon. Todd Sponseller

Hon. Mary Beth Shank

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

2020-1129

In Re: 39th Judicial District : Emergency Judicial Order

PROTHONOTARY
FRANKLIN COUNTY PA
2020 MAR 30 AM 9:25
TIMOTHY S. SPONSELLER
PROTHONOTARY
DEPUTY

Third Supplemental Emergency Judicial Order
Extending the Judicial Emergency for the 39th Judicial District through April 14, 2020

AND NOW this 30th day of March, 2020, in accordance with the Order of the Supreme Court of Pennsylvania dated March 16, 2020, authorizing each President Judge of a judicial district to declare a Judicial Emergency up through and including, Tuesday, April 14, 2020 and to take such actions thereto to make the courts available for emergency matters, but to otherwise close the courts for the purpose of assisting state, regional and local leaders in the effort to stem the tide of COVID-19;

AND WHEREAS within two days of the issuance of the Pennsylvania Supreme Court's Order authorizing President Judges to declare a judicial emergency based upon the impact COVID-19 was having upon their respective judicial districts, a majority of all President Judges issued orders declaring an emergency and entering orders closing courts, while providing emergency access;

AND WHEREAS, Chief Justice Saylor of the Pennsylvania Supreme Court issued a second order dated March 18, 2020, declaring and ordering 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's March 18th, 2020 order did not prohibit or revoke the previous authorization of the President Judge of a judicial district under the March 16, 2020 order to declare a Judicial Emergency through April 14, 2020;

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;

ATTEST A TRUE COPY
TIMOTHY S. SPONSELLER PROTHONOTARY

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 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 President Judge in conjunction and with the support of the board of judges of the Court of Common Pleas of the 39th Judicial District, Court Administration and various court and county agencies has modified practices to maintain operations, while minimizing the activities that contribute to the spread of COVID-19;

AND WHEREAS The President Judge has continued to monitor the health of the community and citizens of the 39th Judicial District and the current and potential impact of COVID-19 and finds the following:

- On March 17, 2020 there were no confirmed cases of COVID-19 in the 39th Judicial District comprised of Franklin and Fulton Counties.
- As of 12:00 p.m. Sunday, March 29, 2020, there are 11 cases of COVID-19 in Franklin County per the Pennsylvania Department of Health. There are no reported cases in Fulton County.
- On March 19, 2020 the Governor of Pennsylvania issued an order closing many commercial businesses in order to limit community spread including legal services not in support of emergency proceedings before the court.
- COVID-19 is spread most quickly through large public or private gatherings in which infected persons who may or may not appear to have symptoms spread the virus through projections of droplets of their breath into the air or onto surfaces. The virus most easily spreads through person to person contact.
- Schools in Pennsylvania remain closed throughout April 6, 2020. A majority of schools in the 39th Judicial District will remain closed until at least April 14, 2020, if not for the rest of the 2019-2020 school year.

- Many of the largest organized religious bodies, churches and faith groups have decided to forego services and large gatherings up through and including Easter, a most holy and reverent time for a large segment of our community.
- Other important traditional observations and opportunities for gathering continue to be held without the attendance of guests, invitees or family throughout both counties, including weddings, birthdays and funerals.
- Despite substantial financial hardship many businesses have closed or scaled back employee shifts to reduce the possibility of community spread of COVID-19.
- Governor Wolf has issued stay at home orders for all residents in nineteen counties currently experiencing greater levels of infection than the 39th Judicial District in an effort to stem the community spread of COVID-19.
- The Pennsylvania Supreme Court and the other appellate courts have discontinued all proceedings such as argument court through April 21, 2020.
- Most court proceedings in the United States Middle District Court have been continued for a period of 60 days, from March 23, 2020.
- Contiguous counties in Pennsylvania and Maryland which share major highways and permit easy travel to and from the 39th Judicial District including the Pennsylvania Turnpike, Interstates 70 and 81, State Routes 11, 16, 30 and 997 have confirmed cases of COVID-19.
- Many court proceedings, including custody presentations, criminal dispositions, PFA and all civil and criminal jury selections require the gathering of groups of people including but not limited to: citizens, litigants, attorneys, court staff, and sheriff's deputies, in areas that do not afford the suggested distance of six feet to prevent the spread of COVID-19.
- Those who are summoned to court and fail to appear can be subject to the issuance of a warrant or summons and taken into custody, thus in the absence of closure of the courts, the compulsion to appear for scheduled court hearings is great.
- The courts and the filing offices that support the courts in the 39th Judicial District have devised alternative systems to afford persons in need of emergency access to file documents both civil and criminal without having person to person interaction with court or filing office staff. The courthouse itself is open to permit individuals and counsel the opportunity to file documents by physically placing them in drop boxes or sending them via United States Postal Service, other delivery services, or electronically, thus assuring that due process is provided.
- The courts of the 39th Judicial District have the availability to afford parties due process on an emergency basis during the period of judicial emergency as approved by Chief Justice Saylor.

- There is no assurance at this time by any reasonable projection of the CDC, Pa. Department of Health or other reputable medical or epidemiological service or institution that the citizens of the 39th Judicial District are beyond the time for infection, hospitalization and treatment for COVID-19, nor will be safe before April 14, 2020 if they appear for court proceedings at the Franklin County Courthouse, Fulton County Courthouse or other court.

AND WHEREAS this Court for all the reasons heretofore identified has concluded that in order to contribute to the local, regional , state and national effort to stem the tide of the spread of the COVID-19 virus;

IT IS HEREBY ORDERED THAT THE JUDICIAL EMERGENCY IS EXTENDED UP TO AND THROUGH, TUESDAY APRIL 14, 2020.

All prior orders emergency/administrative/supervisory which have established operations or the conduct of business during the judicial emergency is hereby incorporated and adopted and proceedings shall continue in accordance with those orders up to and through April 14, 2020.

BY THE COURT,

Signed: _____ P.J.

Dated: March 30, 2020

Dist: CA

Hon. Angela Krom

Hon. Jeremiah Zook

Hon. Todd Sponseller

Hon. Mary Beth Shank