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

In Re: 39th Judicial District Declaration of Judicial Emergency	: : : :	No. 1D-2020-MCP

DECLARATION

Per the Supreme Court's Order dated March 18, 2020, I declare a judicial emergency in the Thirty-Ninth Judicial District for the following period: March 18, 2020 to April 3, 2020.

The operation of Rule of Criminal Procedure 600 shall be suspended in the Thirty-Ninth Judicial District during the period of the local judicial emergency.

BY THE COURT

Shawn D. Meyers, P.J.

Dated: March 18, 2020

FULTON COUNTY
PENNSYLVANIA
FILED
MAR 18 2020 9:03 am
PROTHONOTARY, CLERK OF COURTS,
CLERK OF ORPHANS COURT,
REGISTER OF WILLS, RECORDER OF DEEDS

E-MAILED

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

: #10 of 2020-MCP

FULTON COUNTY
PENNSYLVANIA
FILED
MAR 18 2020 9:03am
PROTHONOTARY, CLERK OF COURTS,
CLERK OF ORPHANS COURT,
REGISTER OF WILLS, RECORDER OF DEEDS

Emergency Judicial Order

AND NOW this 18th day of March, 2020, in accord with the Order of the Supreme Court of Pennsylvania dated March 16, 2020, authorizing this Court to declare a judicial emergency,

IT IS HEREBY DECLARED that a judicial emergency exists in the 39th Judicial District of the Court of Common Pleas for both Franklin and Fulton Counties, Pennsylvania for the period of March 18, 2020 through April 3, 2020, due to the COVID-19 coronavirus. All references to "County", "Courts", "Courthouse" or "Court Facility" within this order applies to both Franklin County and Fulton County.

Consistent with the foregoing Declaration and in concert with this court's authority under Pa.R.J.A. Rule 1952(B)(2), it is hereby ordered:

1. Time Calculations: The time calculations for the purposes of time computation within this judicial district for the filing of documents with the court or taking other judicially mandated action are suspended beginning March 18, 2020 and ending date April 3, 2020. The Court reserves the right to issue an additional order extending the Judicial Emergency period until April 14, 2020, if necessary.

2. Use of Technology to Conduct Proceedings: The use of advanced communication technology is authorized to conduct court proceedings as follows: use of teleconferencing as available and teleconferencing and/or phones subject to constitutional restrictions.

E-MAILED

3. Suspended or Modified Rules: The following statewide procedural or administrative rules are suspended or modified as follows:

a. The operation of Rule of Criminal Procedure 600 shall be suspended in the 39th Judicial District during the period of the local judicial emergency. The Court finds and declares the time for such delay is not chargeable to the Commonwealth or the Defendants.

b. All time calculations for the purposes of time computations relevant to all other court cases or other judicial business, as well as time deadlines, are suspended subject to constitutional restrictions.

4. Revised Court Operations: The Court hereby declares such other relief as follows:

During the period of the judicial emergency the court **will remain open**, but the following procedures will be in effect:

All individuals that have valid County issued prox-cards or identification shall have access to the Courthouse and court facilities subject to their current authorizations. The Court reserves the right to request modification of access authorization as may be necessary.

In person appearances at the Franklin and Fulton Courthouses or court facilities occupied by Magisterial District Judges, Court Appointed Standing Masters or Permanently Appointed Hearing Officers in either county will not be permitted, absent exigent circumstances.

Exigent circumstances include but are not limited to:

a. Protection from Abuse Matters where no temporary order has been entered by the court;

b. Bench Warrant Hearings;

c. Bail hearings, provided the appropriate motion is filed and presented to the court and served upon the Commonwealth and a hearing is scheduled by an assigned judge;
d. Emergency/Special Relief Custody Hearings;
e. Emergency Guardianship Petitions/Hearings
f. Protective petitions and hearings filed by the AAA or other agencies authorized to protect the rights and interests of the elderly or disabled;
g. Dependency Matters as further described herein;
h. Delinquency Matters as further described herein.
i. Preliminary Injunctions regarding issues related to public health or the protection and preservation of interests of a person, corporation or an entity that cannot be assured adequate protection under any other lawful means.

When possible all matters shall be heard via video or teleconference, but if the participants are within the courthouse or court facility, in those instances, only participants to the action will be permitted to be present in the Courthouse during the period of judicial emergency.

5. Filings: In person filings will not be accepted within the filing offices, absent exigent or emergency circumstances as are presented to Court Administration and approved by the Court. This applies to the Court of Common Pleas as well as the Magisterial District Courts. Franklin County filings may be brought to the lobby area of the Franklin County Courthouse, 157 Lincoln Way East, Chambersburg, PA 17201 and placed in the designated box for the filing office. All required filing fees shall be provided with the filing. The filing office will monitor the box and process the filings

returning all courtesy copies via United States Postal Service mail. All filings for Fulton County may be brought to the lobby area of the Fulton County Courthouse, 201 North Second Street, McConnellsburg, PA 17233 and placed in the designated box for the filing office. All required filing fees shall be provided with the filing. The filing office will monitor the box and process the filings returning all courtesy copies via United States Postal Service mail. In the alternative, during the Judicial Emergency period filing may be submitted via mail, email, or facsimile. Email and/or fax filings will need to be followed by the original document (with original signatures) via mail and include the appropriate filing fee, if any. Filings submitted by either email or fax will be time stamped upon receipt and preserve filing dates provided originals are received. Each filing office shall supply an email address upon request. This process will be reviewed with the applicable row offices and adjustments made as necessary to preserve filing access to the courts.

6. Civil Proceedings: All scheduled hearings on the Civil Docket, including all Family Law proceedings that are not an emergency or a matter of special relief, or have not already been scheduled as a teleconference or video conference by the Court are continued during the emergency period and shall be rescheduled by the judge who is assigned to the case or Court Administration. Counsel or the parties shall confer with the judge and Court Administration to identify an appropriate date to reschedule the matter. The Court shall remain available to handle all exigent or emergency matters in paragraph 4.

7. Criminal Proceedings: All scheduled proceedings for defendants who are not incarcerated in the Franklin County Jail are continued during the judicial emergency period. All continued cases shall be rescheduled by Court Administration in coordination with the assigned judge. All persons who have cases that are continued will receive notice of the new scheduling date. The Court shall remain available to handle all exigent or emergency matters in paragraph 4.

8. Juvenile Delinquency: Not withstanding any other provision of this order, Juvenile Delinquency Matters shall be handled on a case by case basis. Parties should appear for all juvenile delinquency matters scheduled before the Court, unless otherwise notified.

9. Juvenile Dependency: Not withstanding any other provision of this order, Juvenile Dependency Matters shall be handled on a case by case basis. Parties should appear for all juvenile dependency matters scheduled before the Court, unless otherwise notified.

The Court shall continue to handle shelter care proceedings, pursuant to Pa.C.S. § 6332.

The Court shall continue to issue orders for protective custody, pursuant to Pa.R.C.P. Rule 1210.

The Court shall continue to be available to issue orders for Authorization for Medical Treatment of a Minor, pursuant to 18 Pa.C.P.S. 3201.

10. Orphans' Court Division:

Not withstand any other provision of this order, all matters are postponed except for involuntary commitment hearings scheduled at facilities or hearing sites. The Court shall remain available to handle all exigent or emergency matters in paragraph 4.

The Orphans' Court Clerk shall exercise appropriate discretion in the issuance and processing of marriage licenses. Applicants are asked to contact the Orphans' Court Clerk to allow appropriate scheduling and staggering of applications and distribution of marriage licenses.

11. Magisterial District Court:

All cases are continued unless expressly agreed to be heard by the Magisterial District Judge assigned to the case.

All Landlord Tenant actions and executions of judgment are stayed during the judicial emergency period.

All time calculations relevant to Magisterial District Court proceedings located in the Pennsylvania Rules of Conduct, Office of Standards for Civil Procedure for Magisterial District Judges and the Pennsylvania Rules of Criminal Procedure shall be suspended.

Magisterial District Judges shall still provide all available services required while serving in an "on call" capacity including review and approval of search warrants, criminal bench warrants, preliminary arraignment and the establishment of bail.

Magisterial District Judges shall provide all reasonable means to collect monies from payors.

12. Sheriff and County Office access: Anyone with business with the Sheriff may advise the security staff of any building and they shall be admitted per the directives and policies of the Sheriff.

Anyone with business in a county office that is not also a filing office for matters for the court, shall be permitted access to those offices and facilities per county directives.

13. Transports: The Sheriff and constables of both counties may elect to transport any and all individuals or detainees or decline such transport as they so choose within their sound discretion.

14. Probation and Parole Offices and Domestic Relation Offices: This order limiting interaction with employees and the public and counsel shall apply to the court offices of Probation and Parole and Domestic Relations. Those office shall conduct hearings when possible via teleconference or videoconference.

15. Factors Requiring the Declaration of a Judicial Emergency: The circumstances necessitating this request for an emergency judicial order are as follows: The COVID-19 Coronavirus has been confirmed in a neighboring county of the 39th Judicial District. In order to limit the risk of exposure of court employees and the staff of offices that support the court, and taking into account the regular travel of individuals through the major traffic ways of the Cumberland Valley, of which the Judicial district is a part, continuance of court proceedings and limiting access to the courts is essential for the health

and safety of the public as well as employees of the Court and employees of the offices that support the Court.

16. Media: Media who have valid credentials may have access to the Courthouse or court facilities. The total number of media members in any facility shall not exceed 3. All media members accessing the Courthouse are requested to move directly to Court Administration who will be able to address any questions or inquiries. If there are questions related to the validity of the credentials of a media member Court Administration shall be notified and they shall resolve the issue.

17. Posting and Notice: To the extent possible and practical under the circumstances, notice of this request for an emergency judicial order has been or will be:

_X__ posted in the courthouse or other judicial office

_X__ posted on the court's or county's website

_X_ posted on the county bar association's website

_X__ submitted to the Administrative Office of Pennsylvania Courts for publication pursuant to Rule of Judicial Administration No. 1952(C)(5)

_X__ published in the legal publication designated by the court for publication of legal notices

_X__ published in a newspaper of general circulation within the county

18. Objection: Interested parties are advised that objections to any emergency judicial order issued by the Supreme Court should be transmitted to the Supreme Court Prothonotary.

19. Courthouse Mailboxes for Attorneys: For the period of Wednesday, March 18, 2020 through 4:30 p.m. March 20, 2020 attorneys shall contact the Sheriff's Department and arrange a time to access the box once daily. Following 4:30 p.m. Friday, March 20, 2020 use of the Courthouse boxes is suspended during the judicial emergency. Any attorney who cannot access their box during regular business hours from March 18, 2020 through March 20, 2020 shall contact Court Administration to arrange delivery of any mail remaining in their box.

Signed: _____ P.J.

Dated: March 18, 2020

FULTON COUNTY
PENNSYLVANIA
FILED

MAR 18 2020

PROTHONOTARY, CLERK OF COURTS,
CLERK OF ORPHANS COURT,
REGISTER OF WILLS, RECORDER OF DEEDS

FULTON COUNTY
PENNSYLVANIA
FILED
MAR 18 2020 9:03am
PROTHONOTARY, CLERK OF COURTS,
CLERK OF ORPHANS COURT,
REGISTER OF WILLS, RECORDER OF DEEDS

IN THE SUPREME COURT OF PENNSYLVANIA

In Re: 39th Judicial District	:	Emergency Judicial Order
	:	#10 of 2020-MCP

Request for Emergency Judicial Order

TO THE HONORABLE CHIEF JUSTICE THOMAS G. SAYLOR AND JUSTICES OF THE PENNSYLVANIA SUPREME COURT:

1. Shawn D. Meyers, President Judge of the 39th Judicial District, hereby requests the following relief by Order of the Supreme Court:

a. Authorize the president judge to declare a judicial emergency in this judicial district and take any actions authorized by Pa.R.J.A. No. 1952(B)(2).

b. Approve the entry of an Emergency Judicial Order for the 39th Judicial District in the following form:

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

Emergency Judicial Order

AND NOW this 18th day of March, 2020, in accord with the Order of the Supreme Court of Pennsylvania dated March 16, 2020, authorizing this Court to declare a judicial emergency,

E-MAILED

IT IS HEREBY DECLARED that a judicial emergency exists in the 39th Judicial District of the Court of Common Pleas for both Franklin and Fulton Counties, Pennsylvania for the period of March 18, 2020 through April 3, 2020, due to the COVID-19 coronavirus. All references to "County", "Courts", "Courthouse" or "Court Facility" within this order applies to both Franklin County and Fulton County.

Consistent with the foregoing Declaration and in concert with this court's authority under Pa.R.J.A. Rule 1952(B)(2), it is hereby ordered:

1. Time Calculations: The time calculations for the purposes of time computation within this judicial district for the filing of documents with the court or taking other judicially mandated action are suspended beginning March 18, 2020 and ending date April 3, 2020. The Court reserves the right to issue an additional order extending the Judicial Emergency period until April 14, 2020, if necessary.

2. Use of Technology to Conduct Proceedings: The use of advanced communication technology is authorized to conduct court proceedings as follows: use of teleconferencing as available and teleconferencing and/or phones subject to constitutional restrictions.

3. Suspended or Modified Rules: The following statewide procedural or administrative rules are suspended or modified as follows:

   a. The operation of Rule of Criminal Procedure 600 shall be suspended in the 39th Judicial District during the period of the local judicial emergency. The Court finds and declares the time for such delay is not chargeable to the Commonwealth or the Defendants.

   b. All time calculations for the purposes of time computations relevant to all other court cases or other judicial business, as well as time deadlines, are suspended subject to constitutional restrictions.

4. Revised Court Operations: The Court hereby declares such other relief as follows:

During the period of the judicial emergency the court **will remain open**, but the following procedures will be in effect:

All individuals that have valid County issued prox-cards or identification shall have access to the Courthouse and court facilities subject to their current authorizations. The Court reserves the right to request modification of access authorization as may be necessary.

In person appearances at the Franklin and Fulton Courthouses or court facilities occupied by Magisterial District Judges, Court Appointed Standing Masters or Permanently Appointed Hearing Officers in either county will not be permitted, absent exigent circumstances.

Exigent circumstances include but are not limited to:

1. Protection from Abuse Matters where no temporary order has been entered by the court;
2. Bench Warrant Hearings;
3. Bail hearings, provided the appropriate motion is filed and presented to the court and served upon the Commonwealth and a hearing is scheduled by an assigned judge;
4. Emergency/Special Relief Custody Hearings;
5. Emergency Guardianship Petitions/Hearings
6. Protective petitions and hearings filed by the AAA or other agencies authorized to protect the rights and interests of the elderly or disabled;
7. Dependency Matters as further described herein;
8. Delinquency Matters as further described herein.
9. Preliminary Injunctions regarding issues related to public health or the protection and preservation of interests of a person, corporation or an entity that cannot be assured adequate protection under any other lawful means.

When possible all matters shall be heard via video or teleconference, but if the participants are within the courthouse or court facility, in those instances, only participants to the action will be permitted to be present in the Courthouse during the period of judicial emergency.

5. Filings: In person filings will not be accepted within the filing offices, absent exigent or emergency circumstances as are presented to Court Administration and approved by the Court. This applies to the Court of Common Pleas as well as the Magisterial District Courts. Franklin County filings may be brought to the lobby area of the Franklin County Courthouse, 157 Lincoln Way East, Chambersburg, PA 17201 and placed in the designated box for the filing office. All required filing fees shall be provided with the filing. The filing office will monitor the box and process the filings returning all courtesy copies via United States Postal Service mail. All filings for Fulton County may be brought to the lobby area of the Fulton County Courthouse, 201 North Second Street, McConnellsburg, PA 17233 and placed in the designated box for the filing office. All required filing fees shall be provided with the filing. The filing office will monitor the box and process the filings returning all courtesy copies via United States Postal Service mail. In the alternative, during the Judicial Emergency period filing may be submitted via mail, email, or facsimile. Email and/or fax filings will need to be followed by the original document (with original signatures) via mail and include the appropriate filing fee, if any. Filings submitted by either email or fax will be time stamped upon receipt and preserve filing dates provided originals are received. Each filing office shall supply an email address upon request. This process will be reviewed with the applicable row offices and adjustments made as necessary to preserve filing access to the courts.

6. Civil Proceedings: All scheduled hearings on the Civil Docket, including all Family Law proceedings that are not an emergency or a matter of special relief, or have not already been scheduled as a teleconference or video conference by the Court are continued during the emergency period and shall be rescheduled by the judge who is assigned to the case or Court Administration. Counsel or the parties shall confer with the judge and Court Administration to identify an appropriate date to reschedule the matter. The Court shall remain available to handle all exigent or emergency matters in paragraph 4.

7. Criminal Proceedings: All scheduled proceedings for defendants who are not incarcerated in the Franklin County Jail are continued during the judicial emergency period. All continued cases shall be rescheduled by Court Administration in coordination with the assigned judge. All persons who have cases that are continued will receive notice of the new scheduling date. The Court shall remain available to handle all exigent or emergency matters in paragraph 4.

8. Juvenile Delinquency: Not withstanding any other provision of this order, Juvenile Delinquency Matters shall be handled on a case by case basis. Parties should appear for all juvenile delinquency matters scheduled before the Court, unless otherwise notified.

9. Juvenile Dependency: Not withstanding any other provision of this order, Juvenile Dependency Matters shall be handled on a case by case basis.

Parties should appear for all juvenile dependency matters scheduled before the Court, unless otherwise notified.

The Court shall continue to handle shelter care proceedings, pursuant to Pa.C.S. § 6332.

The Court shall continue to issue orders for protective custody, pursuant to Pa.R.C.P. Rule 1210.

The Court shall continue to be available to issue orders for Authorization for Medical Treatment of a Minor, pursuant to 18 Pa.C.P.S. 3201.

10. Orphans' Court Division:

Not withstand any other provision of this order, all matters are postponed except for involuntary commitment hearings scheduled at facilities or hearing sites. The Court shall remain available to handle all exigent or emergency matters in paragraph 4.

The Orphans' Court Clerk shall exercise appropriate discretion in the issuance and processing of marriage licenses. Applicants are asked to contact the Orphans' Court Clerk to allow appropriate scheduling and staggering of applications and distribution of marriage licenses.

11. Magisterial District Court:

All cases are continued unless expressly agreed to be heard by the Magisterial District Judge assigned to the case.

All Landlord Tenant actions and executions of judgment are stayed during the judicial emergency period.

All time calculations relevant to Magisterial District Court proceedings located in the Pennsylvania Rules of Conduct, Office of Standards for Civil Procedure for Magisterial District Judges and the Pennsylvania Rules of Criminal Procedure shall be suspended.

Magisterial District Judges shall still provide all available services required while serving in an "on call" capacity including review and approval of search warrants, criminal bench warrants, preliminary arraignment and the establishment of bail.

Magisterial District Judges shall provide all reasonable means to collect monies from payors.

12. Sheriff and County Office access: Anyone with business with the Sheriff may advise the security staff of any building and they shall be admitted per the directives and policies of the Sheriff.

Anyone with business in a county office that is not also a filing office for matters for the court, shall be permitted access to those offices and facilities per county directives.

13. Transports: The Sheriff and constables of both counties may elect to transport any and all individuals or detainees or decline such transport as they so choose within their sound discretion.

14. Probation and Parole Offices and Domestic Relation Offices: This order limiting interaction with employees and the public and counsel shall apply to the court offices of Probation and Parole and Domestic Relations. Those office shall conduct hearings when possible via teleconference or videoconference.

15. Factors Requiring the Declaration of a Judicial Emergency: The circumstances necessitating this request for an emergency judicial order are as follows: The COVID-19 Coronavirus has been confirmed in a neighboring county of the 39th Judicial District. In order to limit the risk of exposure of court employees and the staff of offices that support the court, and taking into account the regular travel of individuals through the major traffic ways of the Cumberland Valley, of which the Judicial district is a part, continuance of court proceedings and limiting access to the courts is essential for the health and safety of the public as well as employees of the Court and employees of the offices that support the Court.

16. Media: Media who have valid credentials may have access to the Courthouse or court facilities. The total number of media members in any facility shall not exceed 3. All media members accessing the Courthouse are requested to move directly to Court Administration who will be able to address any questions or inquiries. If there are questions related to the validity of the credentials of a media member Court Administration shall be notified and they shall resolve the issue.

17. Posting and Notice: To the extent possible and practical under the circumstances, notice of this request for an emergency judicial order has been or will be:

_X__ posted in the courthouse or other judicial office

_X__ posted on the court's or county's website

_X_ posted on the county bar association's website

_X__ submitted to the Administrative Office of Pennsylvania Courts for publication pursuant to Rule of Judicial Administration No. 1952(C)(5)

_X__ published in the legal publication designated by the court for publication of legal notices

_X__ published in a newspaper of general circulation within the county

18. Objection: Interested parties are advised that objections to any emergency judicial order issued by the Supreme Court should be transmitted to the Supreme Court Prothonotary.

19. Courthouse Mailboxes for Attorneys: For the period of Wednesday, March 18, 2020 through 4:30 p.m. March 20, 2020 attorneys shall contact the Sheriff's Department and arrange a time to access the box once daily. Following 4:30 p.m. Friday, March 20, 2020 use of the Courthouse boxes is suspended during the judicial emergency. Any attorney who cannot access their box during regular business hours from March 18, 2020 through March 20, 2020 shall contact Court Administration to arrange delivery of any mail remaining in their box.

Signed: _____ P.J.

Dated: March 18, 2020

FULTON COUNTY
PENNSYLVANIA
FILED

MAR 18 2020 9:03 am

PROTHONOTARY, CLERK OF COURTS,
CLERK OF ORPHANS COURT,
REGISTER OF WILLS, RECORDER OF DEEDS

FULTON COUNTY
PENNSYLVANIA
FILED
MAR 18 2020 9:03a
PROTHONOTARY, CLERK OF COURTS,
CLERK OF ORPHANS COURT,
REGISTER OF WILLS, RECORDER OF DEEDS

IN THE SUPREME COURT OF PENNSYLVANIA

In Re: 39th Judicial District	:	Emergency Judicial Order
	:	
	:	# 10 of 2020-MCP
	:	

Request for Emergency Judicial Order

TO THE HONORABLE CHIEF JUSTICE THOMAS G. SAYLOR AND JUSTICES OF THE PENNSYLVANIA SUPREME COURT:

1. Shawn D. Meyers, President Judge of the 39th Judicial District, hereby requests the following relief by Order of the Supreme Court:

a. Authorize the president judge to declare a judicial emergency in this judicial district and take any actions authorized by Pa.R.J.A. No. 1952(B)(2).

b. Approve the entry of an Emergency Judicial Order for the 39th Judicial District in the following form:

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
	:	
	:	
	:	

Emergency Judicial Order

AND NOW this 18th day of March, 2020, in accord with the Order of the Supreme Court of Pennsylvania dated March 16, 2020, authorizing this Court to declare a judicial emergency,

E-MAILED

IT IS HEREBY DECLARED that a judicial emergency exists in the 39th Judicial District of the Court of Common Pleas for both Franklin and Fulton Counties, Pennsylvania for the period of March 18, 2020 through April 3, 2020, due to the COVID-19 coronavirus. All references to "County", "Courts", "Courthouse" or "Court Facility" within this order applies to both Franklin County and Fulton County.

Consistent with the foregoing Declaration and in concert with this court's authority under Pa.R.J.A. Rule 1952(B)(2), it is hereby ordered:

1. Time Calculations: The time calculations for the purposes of time computation within this judicial district for the filing of documents with the court or taking other judicially mandated action are suspended beginning March 18, 2020 and ending date April 3, 2020. The Court reserves the right to issue an additional order extending the Judicial Emergency period until April 14, 2020, if necessary.

2. Use of Technology to Conduct Proceedings: The use of advanced communication technology is authorized to conduct court proceedings as follows: use of teleconferencing as available and teleconferencing and/or phones subject to constitutional restrictions.

3. Suspended or Modified Rules: The following statewide procedural or administrative rules are suspended or modified as follows:

   a. The operation of Rule of Criminal Procedure 600 shall be suspended in the 39th Judicial District during the period of the local judicial emergency. The Court finds and declares the time for such delay is not chargeable to the Commonwealth or the Defendants.

   b. All time calculations for the purposes of time computations relevant to all other court cases or other judicial business, as well as time deadlines, are suspended subject to constitutional restrictions.

4. Revised Court Operations: The Court hereby declares such other relief as follows:

During the period of the judicial emergency the court **will remain open**, but the following procedures will be in effect:

All individuals that have valid County issued prox-cards or identification shall have access to the Courthouse and court facilities subject to their current authorizations. The Court reserves the right to request modification of access authorization as may be necessary.

In person appearances at the Franklin and Fulton Courthouses or court facilities occupied by Magisterial District Judges, Court Appointed Standing Masters or Permanently Appointed Hearing Officers in either county will not be permitted, absent exigent circumstances.

Exigent circumstances include but are not limited to:

1. Protection from Abuse Matters where no temporary order has been entered by the court;
2. Bench Warrant Hearings;
3. Bail hearings, provided the appropriate motion is filed and presented to the court and served upon the Commonwealth and a hearing is scheduled by an assigned judge;
4. Emergency/Special Relief Custody Hearings;
5. Emergency Guardianship Petitions/Hearings
6. Protective petitions and hearings filed by the AAA or other agencies authorized to protect the rights and interests of the elderly or disabled;
7. Dependency Matters as further described herein;
8. Delinquency Matters as further described herein.
9. Preliminary Injunctions regarding issues related to public health or the protection and preservation of interests of a person, corporation or an entity that cannot be assured adequate protection under any other lawful means.

When possible all matters shall be heard via video or teleconference, but if the participants are within the courthouse or court facility, in those instances, only participants to the action will be permitted to be present in the Courthouse during the period of judicial emergency.

5. Filings: In person filings will not be accepted within the filing offices, absent exigent or emergency circumstances as are presented to Court Administration and approved by the Court. This applies to the Court of Common Pleas as well as the Magisterial District Courts. Franklin County filings may be brought to the lobby area of the Franklin County Courthouse, 157 Lincoln Way East, Chambersburg, PA 17201 and placed in the designated box for the filing office. All required filing fees shall be provided with the filing. The filing office will monitor the box and process the filings returning all courtesy copies via United States Postal Service mail. All filings for Fulton County may be brought to the lobby area of the Fulton County Courthouse, 201 North Second Street, McConnellsburg, PA 17233 and placed in the designated box for the filing office. All required filing fees shall be provided with the filing. The filing office will monitor the box and process the filings returning all courtesy copies via United States Postal Service mail. In the alternative, during the Judicial Emergency period filing may be submitted via mail, email, or facsimile. Email and/or fax filings will need to be followed by the original document (with original signatures) via mail and include the appropriate filing fee, if any. Filings submitted by either email or fax will be time stamped upon receipt and preserve filing dates provided originals are received. Each filing office shall supply an email address upon request. This process will be reviewed with the applicable row offices and adjustments made as necessary to preserve filing access to the courts.

6. Civil Proceedings: All scheduled hearings on the Civil Docket, including all Family Law proceedings that are not an emergency or a matter of special relief, or have not already been scheduled as a teleconference or video conference by the Court are continued during the emergency period and shall be rescheduled by the judge who is assigned to the case or Court Administration. Counsel or the parties shall confer with the judge and Court Administration to identify an appropriate date to reschedule the matter. The Court shall remain available to handle all exigent or emergency matters in paragraph 4.

7. Criminal Proceedings: All scheduled proceedings for defendants who are not incarcerated in the Franklin County Jail are continued during the judicial emergency period. All continued cases shall be rescheduled by Court Administration in coordination with the assigned judge. All persons who have cases that are continued will receive notice of the new scheduling date. The Court shall remain available to handle all exigent or emergency matters in paragraph 4.

8. Juvenile Delinquency: Not withstanding any other provision of this order, Juvenile Delinquency Matters shall be handled on a case by case basis. Parties should appear for all juvenile delinquency matters scheduled before the Court, unless otherwise notified.

9. Juvenile Dependency: Not withstanding any other provision of this order, Juvenile Dependency Matters shall be handled on a case by case basis.

Parties should appear for all juvenile dependency matters scheduled before the Court, unless otherwise notified.

The Court shall continue to handle shelter care proceedings, pursuant to Pa.C.S. § 6332.

The Court shall continue to issue orders for protective custody, pursuant to Pa.R.C.P. Rule 1210.

The Court shall continue to be available to issue orders for Authorization for Medical Treatment of a Minor, pursuant to 18 Pa.C.P.S. 3201.

10. Orphans' Court Division:

Not withstand any other provision of this order, all matters are postponed except for involuntary commitment hearings scheduled at facilities or hearing sites. The Court shall remain available to handle all exigent or emergency matters in paragraph 4.

The Orphans' Court Clerk shall exercise appropriate discretion in the issuance and processing of marriage licenses. Applicants are asked to contact the Orphans' Court Clerk to allow appropriate scheduling and staggering of applications and distribution of marriage licenses.

11. Magisterial District Court:

All cases are continued unless expressly agreed to be heard by the Magisterial District Judge assigned to the case.

All Landlord Tenant actions and executions of judgment are stayed during the judicial emergency period.

All time calculations relevant to Magisterial District Court proceedings located in the Pennsylvania Rules of Conduct, Office of Standards for Civil Procedure for Magisterial District Judges and the Pennsylvania Rules of Criminal Procedure shall be suspended.

Magisterial District Judges shall still provide all available services required while serving in an "on call" capacity including review and approval of search warrants, criminal bench warrants, preliminary arraignment and the establishment of bail.

Magisterial District Judges shall provide all reasonable means to collect monies from payors.

12. Sheriff and County Office access: Anyone with business with the Sheriff may advise the security staff of any building and they shall be admitted per the directives and policies of the Sheriff.

Anyone with business in a county office that is not also a filing office for matters for the court, shall be permitted access to those offices and facilities per county directives.

13. Transports: The Sheriff and constables of both counties may elect to transport any and all individuals or detainees or decline such transport as they so choose within their sound discretion.

14. Probation and Parole Offices and Domestic Relation Offices: This order limiting interaction with employees and the public and counsel shall apply to the court offices of Probation and Parole and Domestic Relations. Those office shall conduct hearings when possible via teleconference or videoconference.

15. Factors Requiring the Declaration of a Judicial Emergency: The circumstances necessitating this request for an emergency judicial order are as follows: The COVID-19 Coronavirus has been confirmed in a neighboring county of the 39th Judicial District. In order to limit the risk of exposure of court employees and the staff of offices that support the court, and taking into account the regular travel of individuals through the major traffic ways of the Cumberland Valley, of which the Judicial district is a part, continuance of court proceedings and limiting access to the courts is essential for the health and safety of the public as well as employees of the Court and employees of the offices that support the Court.

16. Media: Media who have valid credentials may have access to the Courthouse or court facilities. The total number of media members in any facility shall not exceed 3. All media members accessing the Courthouse are requested to move directly to Court Administration who will be able to address any questions or inquiries. If there are questions related to the validity of the credentials of a media member Court Administration shall be notified and they shall resolve the issue.

17. Posting and Notice: To the extent possible and practical under the circumstances, notice of this request for an emergency judicial order has been or will be:

_X__ posted in the courthouse or other judicial office

_X__ posted on the court's or county's website

_X_ posted on the county bar association's website

_X__ submitted to the Administrative Office of Pennsylvania Courts for publication pursuant to Rule of Judicial Administration No. 1952(C)(5)

_X__ published in the legal publication designated by the court for publication of legal notices

_X__ published in a newspaper of general circulation within the county

18. Objection: Interested parties are advised that objections to any emergency judicial order issued by the Supreme Court should be transmitted to the Supreme Court Prothonotary.

19. Courthouse Mailboxes for Attorneys: For the period of Wednesday, March 18, 2020 through 4:30 p.m. March 20, 2020 attorneys shall contact the Sheriff's Department and arrange a time to access the box once daily. Following 4:30 p.m. Friday, March 20, 2020 use of the Courthouse boxes is suspended during the judicial emergency. Any attorney who cannot access their box during regular business hours from March 18, 2020 through March 20, 2020 shall contact Court Administration to arrange delivery of any mail remaining in their box.

Signed: _____ P.J.

Dated: March 18, 2020

FULTON COUNTY
PENNSYLVANIA
FILED
MAR 18 2020 9:03am
PROTHONOTARY, CLERK OF COURTS,
CLERK OF ORPHANS COURT,
REGISTER OF WILLS, RECORDER OF DEEDS