

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

IN RE: :
: **MD-20-00006**
29th JUDICIAL DISTRICT OPERATIONS :
DURING STATEWIDE JUDICIAL : **ADMINISTRATIVE ORDER**
EMERGENCY – SECOND ORDER :

ADMINISTRATIVE ORDER

Due to the circumstances surrounding the COVID-19 virus, this Court entered an order on March 27, 2020, extending the closure of the Courts of the 29th Judicial District to the public as to non-essential functions through April 14, 2020, and memorializing the safety measures that had been implemented in the district. On April 1, 2020, the Supreme Court of Pennsylvania entered a “Second Supplemental Order” extending the general, statewide judicial emergency, except for essential services, through April 30, 2020, and authorizing President Judges to declare judicial emergencies in their judicial districts through May 31, 2020, or for part of that period, should they deem it appropriate for the protection of the health and safety of court personnel, court users, and others.

AND NOW, this 27th day of April 2020, the President Judge of the 29th Judicial District is hereby extending the closure of the Courts of the 29th Judicial District to the public as to non-essential functions through May 15, 2020; supplementing the Supreme Court’s list of suggested essential services during the closure; and outlining additional safety measures that will be implemented in the district through May 15, 2020 (unless a different date is indicated below):

- 1. The Courthouse and all Magisterial District Courts of the 29th Judicial District are closed to the public through May 15, 2020, except for the essential functions outlined in this order.**
2. Court employees will not attend off-site conferences or trainings until further notice.
3. Court events and meetings will be rescheduled or held via advanced communication technology¹ until further notice.

¹ The Supreme Court of Pennsylvania’s “Second Supplemental Order” dated April 1, 2020, defines “advanced communication technology” as including, but not limited to, systems providing for two-way or simultaneous communication of image and sound; closed-circuit television; telephone and facsimile equipment; and electronic mail.

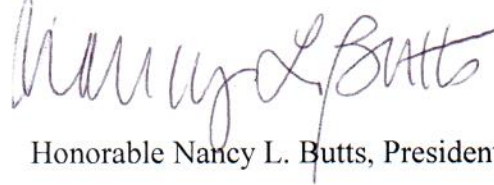
4. **Inmates will not be transported** from the Lycoming County Prison or Pre-release Center for court proceedings. Incarcerated defendants will participate in court proceedings by advanced communication technology.
5. **Jury selection scheduled for June 1-5, 2020, is cancelled.** All jury trials scheduled for the trial term June through July are continued.
6. Pursuant to the Supreme Court's Order dated March 18, 2020, the Lycoming County **Court of Common Pleas will continue to perform the following essential functions during the court closure:**
 - a. Emergency bail review and habeas corpus hearings;
 - b. Gagnon 1 (probation/parole violation) hearings;
 - c. Bench warrant hearings pursuant to Pennsylvania Rule of Criminal Procedure 150;
 - d. Juvenile delinquency detention;
 - e. Juvenile emergency shelter and detention hearings;
 - f. Temporary protection from abuse hearings;
 - g. Emergency petitions for child custody or pursuant to any provision of the Juvenile Act;
 - h. Emergency petitions for guardianship;
 - i. Civil mental health reviews (50 P.S. § 7302);
 - j. Emergency equity civil matters (injunctions and stays); and
 - k. Any pleading or motion relating to public health concerns and involving immediate and irreparable harm.
7. Additionally, the **Court of Common Pleas will begin adding the following proceedings on a limited basis during the court closure:**
 - a. Final protection from abuse, contempt, and modification;
 - b. Juvenile delinquency;
 - c. Custody;
 - d. Child and spousal support;
 - e. Guardianship of alleged incapacitated persons; and
 - f. Any other matters with minimal person-to-person contact.
8. Preliminary hearings, arraignments, guilty pleas, and sentencings for incarcerated defendants will be held via advanced communication technology.
9. To the extent possible, the Court of Common Pleas will conduct as many essential function proceedings as possible utilizing advanced communication technology in order to limit person-to-person contact.

10. To the extent non-essential matters can be handled via advanced communication technology, those matters will proceed as scheduled.
11. The **filing of documents** with regard to all **non-essential functions** (any matters *not* listed above) are strongly encouraged to be made **via U.S. mail** to the office of the Lycoming County Prothonotary/Clerk of Courts or Lycoming County Register and Recorder. If filing via U.S. mail is not possible, documents may be filed via the “filing drop box” located in the lobby of the Courthouse. The document and filing fee (check or money order only) must be in a closed envelope addressed to the appropriate filing office and a self-addressed, prepaid envelope must be enclosed for the return of a receipt for payment of filing fees and time-stamped copy of the document. If proper payment is not included, the document will be returned to the sender unfiled.
12. The **filing of documents** with regard to **essential functions** (those matters listed above) may be made via U.S. mail or via the “filing drop box” located in the lobby of the Courthouse. The document and filing fee (check or money order only) must be in a closed envelope addressed to the appropriate filing office and a self-addressed, prepaid envelope must be enclosed for the return of a receipt for payment of filing fees and time-stamped copy of the document. If proper payment is not included, the document will be returned to the sender unfiled. Additionally, the outside of the envelope must be clearly marked “Essential Function Filing.”
13. Pursuant to the Supreme Court’s Order dated March 18, 2020, the Lycoming County **Magisterial District Courts will continue to perform the following essential functions during the court closure:**
 - a. Preliminary arraignments (bail setting) forailable cases;
 - b. Criminal case filings and subsequent processing;
 - c. Preliminary hearings for incarcerated persons only;
 - d. Issuance of search warrants; and
 - e. Emergency protection from abuse petitions.
14. To the extent possible, the Magisterial District Courts will conduct as many of the essential function proceedings as possible utilizing advanced communication technology in order to limit person-to-person contact.
15. All non-essential function proceedings in the Magisterial District Courts will be continued to a date after May 15, 2020.
16. **No in-person payments will be accepted in the Magisterial District Courts. Payments must be made online at <https://ujportal.pacourts.us/PayOnline.aspx> or via U.S. mail.**

17. The Magisterial District Courts will accept filings made via U.S. mail only.
18. The Lycoming County **Reentry Service Center** will resume color call-in and daily reporting effective May 11, 2020.
19. Until further notice, individuals on supervision will not report to the **Adult Probation and Juvenile Probation offices**. Adult and Juvenile Probation will supervise these individuals in the field or via advanced communication technology. Those individuals under supervision who have questions should contact their assigned probation officer.
20. Until further notice, the **Domestic Relations Office** will take measures to limit the number of individuals reporting to its office. Those with questions should contact the Domestic Relations Office for additional information.
21. The Governor of Pennsylvania's stay at home order has no effect on the Courts' continuation of the essential functions described in this order nor on existing child custody orders and the travel necessary to effectuate them.
22. Until further notice, additional **safety measures** including but not limited to the following will be implemented with all in-person proceedings:
 - a. Start times will be staggered and the time between proceedings will be increased to minimize person-to-person contact;
 - b. Only necessary and pre-authorized participants will be allowed entry to the Courts;
 - c. Participants including but not limited to litigants, defendants, attorneys, and witnesses will wear a facemask and practice social distancing in all areas of the courthouse including but not limited to the courtrooms and waiting areas;
 - d. Participants will utilize the hand sanitizing stations located in common areas of the courthouse;
 - e. High-touched surfaces will be regularly cleaned and disinfected throughout the day; and
 - f. All surfaces will be thoroughly cleaned and disinfected after hours.
23. Until further notice, **all courthouse visitors** including but not limited to contractors and vendors will wear a facemask and practice social distancing.
24. Until further notice, **employees** will wear facemasks in common areas and practice social distancing and self-quarantining as recommended by the Centers for Disease Control and Prevention.

25. These guidelines are fluid and continually subject to change as additional information becomes available. Questions or concerns should be directed to the Office of the District Court Administrator at 570-327-2330 or to the applicable Magisterial District Court.

By the Court,



Honorable Nancy L. Butts, President Judge

cc: Nancy L. Butts, President Judge
Adrienne J. Stahl, District Court Administrator
Board of Commissioners
Matthew A. McDermott, Director of Administration
Stephanie Tribble, Director of the Domestic Relations Office
Edward McCoy, Chief Adult Probation Officer
Edward Robbins, Chief Juvenile Probation Officer
Tom Heap, Prothonotary/Clerk of Courts
Dave Huffman, Register and Recorder
Ryan C. Gardner, District Attorney
Nicole Spring, Chief Public Defender
Mark Lusk, Sheriff
MDJ Aaron S. Biichle
MDJ Christian D. Frey
MDJ Jon E. Kemp
MDJ Jerry C. Lepley
MDJ William C. Solomon
MDJ Gary A. Whiteman
Lycoming Law Association
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Wise Options
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MHID