

**IN THE COURT OF COMMON PLEAS, BLAIR COUNTY  
24<sup>TH</sup> JUDICIAL DISTRICT**

**IN RE: 24<sup>TH</sup> Judicial District –**

**DECLARATION OF JUDICIAL EMERGENCY**

**Supreme Court:**  
No. 20 WM 2020  
**Blair County No.:**  
No. 2020 MD 0003

**SUPPLEMENTAL AND NEW ORDER**

**AND NOW**, this 29<sup>th</sup> day of May, 2020, this court being in receipt of the Supreme Court's order of May 27, 2020, stating that the statewide judicial emergency will cease as of June 1, 2020, and further giving President Judges permission to extend a local judicial emergency, this court supplements and clarifies its previous orders issued during the statewide judicial emergency and closure of the Pennsylvania courts previously ordered by the Pennsylvania Supreme Court, and enters a new order extending the local judicial emergency, as follows:

**JUDICIAL EMERGENCY EXTENDED**

The judicial emergency is extended for all purposes except Pa. Rule of Crim. P. 600 until **July 10, 2020**.

**COURT OPEN FOR ESSENTIAL AND NON-ESSENTIAL BUSINESS**

After initial closure of the Blair County Common Pleas and Magisterial District Judge courts due to the COVID-19 pandemic, during which time only essential functions were carried out, beginning May 18, 2020, the courts were generally opened to conduct all court business. The court's priorities remain centered on its critical and essential functions. For both its essential and nonessential functions, the court shall proceed as follows:

### **IN-PERSON PROCEEDINGS LIMITED**

In- person access to proceedings is limited in order to safeguard the health and safety of court personnel, court users, and members of the public.

### **RULES RESTRICTING ADVANCED COMMUNICATION TECHNOLOGY (ACT) USE ARE SUSPENDED**

Statewide rules that restrict, directly or indirectly, the use of advanced communication technologies are suspended.

### **STATEWIDE RULES THAT IMPEDE LOCAL PROVISION FOR COURT FILINGS BY MEANS OF OTHER THAN IN PERSON DELIVERY ARE SUSPENDED**

Court filings by other than in person delivery may be accepted where the capability is present.

### **COURT PROCEDURES**

- (1) Litigants involved in civil matters (including, without limitation, family law matters, civil case hearings, Protection From Abuse matters and child dependency proceedings) are hereby required to participate in all proceedings via advanced communication technology (ACT), as may be directed by the Court. The method most used by the court is BlueJeans video; participation by telephone or electronic mail is permissible at the discretion of the court. Counsel and/or litigants SHALL provide their own means of participating via ACT, whether by computer, videoconference by telephone, or telephone via voice call.
- (2) Failure to provide means of participating via ACT shall result in continuance of the matter, barring further order of Court. If counsel for a litigant (or a litigant, if self represented) believes that the in-person appearance of a party is necessary, such

that the proceeding cannot be conducted via ACT, such counsel or person may file a petition no later than 72 hours before the event, regarding their objection to the conduct of the proceeding via ACT, giving the detailed reasons for the objection and their proposed alternative.

(3) All exhibits to be considered by the Court in an ACT proceeding must be transmitted via e-mail to court administration for distribution to the appropriate chambers and opposing counsel (or the opposing party, if a *pro se* litigant) no later than 12 noon five business days immediately preceding the date of the proceeding. Acceptable formats are .pdf, .jpg, .png, and .mp4, with all Microsoft Office documents (Word, Excel, PowerPoint, Outlook, etc.) to be converted to .pdf unless specific formatting or metadata is a relevant part of the exhibit. No other file types or transmittal methods will be accepted without prior approval. Filenames should include the docket number and a brief, objective description of the item (e.g., "xxx-2020 Texts From Defendant"). Counsel or litigants may petition the court to provide exhibits in another manner if they are so voluminous they cannot be transmitted as described, or if they are tangible objects.

(4) Criminal defendants are hereby required to participate in all proceedings in their respective cases via ACT unless otherwise notified, with the exception of those set forth in Pa.R.Crim.P. 119(A); primarily (but not limited to) preliminary hearings, trials, sentencing hearings, and revocation hearings regarding parole, probation, and intermediate punishment. Counsel shall furnish the ACT equipment and be prepared and have their clients prepared to participate via ACT.

- a. Pursuant to Pa. R. Crim P. 119 (B), a criminal defendant may consent to a proceeding being conducted via ACT.
  - b. The Court calls to the attention of both criminal defendants and their counsel that the operation of Pa.R.Crim.P. 600 has been suspended during portions of the Judicial Emergency. Because of COVID-19 limitations on transports and gatherings, a decision to appear in person may result in a postponement of a criminal event.
- (5) For criminal matters involving defendants who are in custody, the Court will make arrangements based on the technology capabilities of the correctional facility housing the defendant and the specific defendant's housing situation. It is anticipated that the current structure of having the defendant appear via a BlueJeans video or Polycom video call will remain the primary structure for such defendants. Counsel shall be prepared with their own equipment to participate via ACT.
- (6) Protocols for ACT participation will be provided by the District Court Administrator governing the conduct of counsel, litigant, witnesses, and other participants. Local rules prohibiting recording or broadcasting of proceedings by any participant other than the court continue in full force and effect.

**RULE 600 TEMPORARILY SUSPENDED**

Rule of Criminal Procedure 600 (C) remains suspended through **June 15, 2020**, unless further order of Court extending the suspension is issued. The court intends to factor in the COVID-19 public health crisis in any constitutional analysis.

**JURY TRIALS TEMPORARILY SUSPENDED**

Jury trials, both criminal and civil, shall remain suspended until at least July 10, 2020 and will be scheduled for a date in the future. Summons for jury trials which are to take place after the judicial emergency may be sent.

**CUSTODY ORDERS EXPIRED**

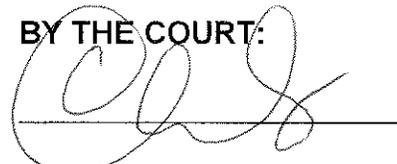
The prior custody orders of this court filed to these docket orders (issued to take effect or to clarify during the initial period of the Governor's declared stay at home order) expired April 30, 2020, with the exception of the order of March 19, 2020 stating that the custody schedule will follow the normal school schedule.

**EVICCTIONS STAYED**

Pursuant to the Governor's order of May 7, 2020, unless stricken by the Pennsylvania Supreme Court, evictions of residential property are stayed until July 10, 2020. In the event of the Supreme Court overturning the Governor's order, evictions of all residential property can begin forthwith.

This Administrative Order shall be effective immediately, and shall continue in effect until the termination of the Judicial Emergency, **July 10, 2020**, unless extended by further order of court.

**BY THE COURT:**

A handwritten signature in black ink, appearing to read 'E. Doyle', written over a horizontal line.

Elizabeth A. Doyle, P.J.