

IN THE COURT OF COMMON PLEAS OF PIKE COUNTY, PENNSYLVANIA
60th JUDICIAL DISTRICT

IN RE: 60TH JUDICIAL DISTRICT OF PENNSYLVANIA :
OPERATION OF JUDICIAL FACILITIES AND :
OFFICES, COVID-19 PANDEMIC : No. _____ - 2020
:

ADMINISTRATIVE ORDER

AND NOW, this 19th day of March, 2020, upon consideration of the Pennsylvania Supreme Court's Order dated March 16, 2020 declaring a statewide judicial emergency and Order dated March 18, 2020 directing that all Pennsylvania courts be closed for general business purposes, beginning at the close of business on March 19, 2020 and lasting through at least April 3, 2020, all of which resulting from the national, state and local COVID-19 Pandemic, it is hereby ORDERED AND DECREED, effective March 19, 2020 at 4:30 P.M. through Friday, April 3, 2020 at 4:30 P.M. as follows:

A. COURT OF COMMON PLEAS

1. The operations and ongoing business of the Court of Common Pleas of the 60th Judicial District shall be limited as hereinafter specified.
2. Employees of the Court of Common Pleas shall report to work at the Courthouse or shall work from home as directed by the Court Administrator or the President Judge.

3. Any civil or criminal hearing scheduled before the Court of Common Pleas during the time period of March 20, 2020 through April 3, 2020 shall be continued by virtue of this Administrative Order, without separate individual notice, and shall be rescheduled by further Order of Court.
4. The prior appointment of any guardian, counsel, guardian ad litem or other court-appointed individual by the Court in any such case, as well as any temporary protection from abuse order entered in any such case, shall continue in full force and effect until further Order of Court regardless of any time frames or constraints otherwise contained in the Pennsylvania Rules of Court or governed by statute.
5. The Court of Common Pleas shall remain available and open for the following types of essential proceedings only:
 - a. Emergency bail review and habeas corpus hearings;
 - b. Gagnon I hearings;
 - c. Bench warrant hearings pursuant to Pa. R. Crim. P. 150;
 - d. Juvenile delinquency detention;
 - e. Juvenile emergency shelter and detention hearings;
 - f. Ex parte, 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, *see* 50 P.S. §7302;

- j. Emergency equity civil matters (i.e., injunctions and stays);
 - k. Any pleading or motion relating to public health concerns and *involving immediate and irreparable harm*; and
 - l. Any other function deemed by the President Judge to be essential consistent with constitutional requirements.
6. Any essential proceeding, as defined above, conducted by the Court during the aforementioned time frame shall be conducted by video-conferencing, if available, and only in those instances approved by the President Judge, in person in a Courtroom to be designated by the President Judge.
7. The Pike County Sheriff's Office shall provide security personnel at the front entrance of the Courthouse and such other necessary court locations to effectuate the terms of this Order and the terms of the Supreme Court's March 18, 2020 Order referenced above;
8. Only necessary litigants, support personnel for victims in protection from abuse proceedings, attorneys representing necessary litigants and any other person as previously approved by the Court Administrator or President Judge shall be permitted in the Courthouse for any proceeding.

B. FILING OF MOTIONS, PETITIONS AND OTHER LEGAL DOCUMENTS

1. The in person filing of motions, petitions and other legal documents at the Pike County Courthouse shall be prohibited during the time frame set forth above except as specifically provided below.

2. Litigants, attorneys and the general public shall file any motions, petitions and other legal documents with the Prothonotary/Clerk of Court by United States mail only during the time period of this Administrative Order.
3. The Court will accept limited filings of motions or petitions regarding pending court cases or emergency filings in new court cases through e-mail transmission to the Court Administrator, but only after the proponent obtains prior consent to do so through the Court Administrator who can be reached at 570-296-3556.

C. MAGISTERIAL DISTRICT JUDGE OFFICES

1. During the time period of March 20, 2020 through April 3, 2020, all Magisterial District Judge Offices in Pike County shall be open for essential court functions only as set forth below, subject to the following terms and conditions.
2. Magisterial District Judges shall only conduct essential court functions during this time period.
3. Essential court functions shall include:
 - 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;
 - e. Emergency, ex parte protection from abuse petitions; and
 - f. Any other function deemed by the President Judge to be essential consistent with constitutional limitations.

- g. Magisterial District Judges shall conduct any essential court functions only by Video Conference technology except for the limited in person appearance of any attorney representing a litigant in an essential court proceeding or a person filing an emergency petition for relief under the Protection From Abuse Act.
- h. All other cases pending on the Magisterial District Court docket from March 20, 2020 through April 3, 2020 are CONTINUED, without separate individual notice, until further Order of Court.
- i. Magisterial District Judges shall arrange for any employee or employees to report to work at a court facility only as is necessary to discharge the essential functions of his or her office as defined above.
- j. Magisterial District Judges shall advise the Court Administrator of the proposed employee work schedule implemented pursuant to this Administrative Order.
- k. All employees not required to report to work at the physical office location shall conduct available court business at his or her residence.
- l. Payments rendered to the Magisterial District Courts SHALL NOT BE MADE IN PERSON, but may be accepted by the Court by mail, electronically (online) or by telephone as may be permissible in the Magisterial District Court receiving the payment.
- m. In the event any scheduled payment is missed or default of a payment plan previously imposed by the court occurs, the Magisterial District Court SHALL

ISSUE a Hearing Notice scheduling a payment determination Hearing to be held after April 3, 2020 or such date as shall be subsequently specified. Such missed payment or default SHALL NOT RESULT in the issuance of an arrest warrant for failure to make payment nor shall the non-payment result in driving privileges being suspended prior to such Hearing.

D. LANDLORD/TENANT PROCEEDINGS

The Court of Common Pleas and the Magisterial District Judges shall comply with the directive of the Pennsylvania Supreme Court's March 18, 2020 Order regarding Landlord/Tenant proceedings, a true and correct copy of said Order being attached hereto and incorporated herein as Appendix "A".

E. PROMPT TRIAL AND ONGOING TRIALS

This Court hereby incorporates by reference herein the Pennsylvania Supreme Court's directive as to Prompt Trial and Ongoing Trials as set forth in its March 18, 2020 Order.

F. PROBATION DEPARTMENT

1. During the time period of March 20, 2020 through April 3, 2020, the Pike County Probation Department including its Adult Section, Juvenile Section and Domestic

Relations Section shall be open for essential functions only subject to the following terms and conditions.

2. The Chief Probation Officer is directed to implement an employee work schedule for all Probation employees to carry out the essential functions of those offices including providing for designated employees to work from home during this time frame.
3. The Chief Probation Officer shall advise the Court Administrator of such employee work schedule upon implementation.
4. The Probation Department may arrange for the filing of any new support action electronically, as permitted, and conduct any other essential business of those offices by telephone or video conferencing only.
5. The Chief Probation Officer shall provide a report of all activities conducted by his offices to the President Judge as requested.

G. GENERAL

1. The primary purpose of this Administrative Order is to promote and protect the health, safety and welfare of the general public, county and court employees and persons utilizing the Pike County Courthouse and court facilities within the 60th Judicial District. Notwithstanding this Order of Court, the Court of Common Pleas of Pike County and its Magisterial District Judges shall be available for essential, emergency court functions consistent with this Administrative Order and the Orders of the Pennsylvania Supreme Court referenced herein. This

Administrative Order shall remain in effect until April 3, 2020 at 4:30 p.m. unless modified by further Order of Court.

2. The terms and conditions of the Pennsylvania Supreme Court's March 18, 2020 Order, attached hereto as Appendix "A", are hereby incorporated into this Administrative Order.
3. The Court Administrator shall ensure that this Administrative Order is posted on the Court's website and its Facebook page as well as distributed to local media.
4. Any updates or modifications of this Administrative Order shall be posted on the Court's website, Facebook page and on the front entrance door of the Courthouse.
5. Further information regarding this Administrative Order may be obtained by contacting the District Court Administrator Samantha Venditti, Esquire at 570-296-3556 or by email at pikecourts@gmail.com.
6. This Administrative Order shall be transmitted by email by the District Court Administrator to the President and Secretary of the Pike County Bar Association, along with the March 18, 2020 Order of the Pennsylvania Supreme Court.
7. Notice of this Administrative Order shall be posted in a prominent location on the main entrance door of the Pike County Courthouse and on the front entrance doors of the Magisterial District Courts of the 60th Judicial District.
8. This Administrative Order shall be enforced by the Sheriff of Pike County.
9. Any individual desiring access to the Courts of the 60th Judicial District and is unable to access the same pursuant to the terms of this Administrative Order

shall contact the District Court Administrator at the telephone number and/or email above for further guidance.

BY THE COURT:



HON. GREGORY H. CHELAK,
President Judge

- c- Kelly A. Gaughan, Judge
- Alan B. Cooper, Esquire, Magisterial District Judge
- Deborah P. Fischer, Magisterial District Judge
- Paul D. Menditto, Sr., Magisterial District Judge
- Randy Schmalzle, Magisterial District Judge
- Pike County Commissioners
- Pike County District Attorney
- Pike County Jail
- Pike County Probation
- Pike County Prothonotary
- Pike County Sheriff
- Pike County Sheriff
- Court Administrator