

IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA

IN RE: GENERAL EXTENSION OF : EMERGENCY ORDER NO. 2020-24
JUDICIAL EMERGENCY FOR : 43 MM 2020
THE SEVENTH JUDICIAL :
DISTRICT

ORDER

AND NOW, this *18th* day of *December*, 2020, pursuant to the Supreme Court Orders of April 28, 2020 and May 27, 2020, which allowed the President Judge of any judicial district the discretion to extend the period of judicial emergency beyond June 1, 2020, and given the recent dramatic increase in detected cases of the COVID-19 virus throughout the Commonwealth generally and in the County of Bucks particularly; the possibility of severe health difficulties for those who contract the virus; the attendant risk of strain on the County's medical infrastructure and resources; and in a continuing effort to protect public health, reduce the size of public gatherings, and reduce unnecessary travel within this county while allowing the Court to continue to perform its constitutional duties, the Court issues the following Order, effective immediately.

I. Extension of Judicial Emergency Through March 31, 2021

The judicial emergency for the Seventh Judicial District, originally declared by the undersigned on March 17, 2020 and subsequently extended generally and for other limited purposes, is hereby extended generally through March 31, 2021.

II. Court Operations and Access

1. Except as specified herein or by further order, all Court operations throughout the Seventh Judicial District will continue, and the Bucks County Justice Center ("Justice Center"),

Magisterial District Courts, and all other Court offices and agencies will remain open throughout the period of the judicial emergency.

2. The Justice Center, Magisterial District Courts and all other Court offices and agencies will maintain normal hours of operation. In order to avoid unnecessary gatherings and the contacts associated therewith and to reduce unnecessary travel, however, members of the public not subject to an order or summons to appear at the Justice Center or a Magisterial District Court office, or otherwise not having business before the Court, are generally discouraged from visiting the Justice Center or a Magisterial District Court office during the period of the judicial emergency.

3. All individuals who enter the Justice Center or any Magisterial District Court office, including both visitors and employees, shall:

- a. wear a protective face mask covering the nose and mouth upon entry, and continue to do so in all public or common areas of the subject building or office including, but not limited to, all filing offices, courtrooms, hallways, stairways, lobbies and waiting areas;
- b. maintain appropriate social distancing; and
- c. comply with all safety directives issued by the Court.

4. Failure to comply with any of the above requirements may result in removal from the Justice Center or Magisterial District Court office.

5. Nothing in the foregoing shall be construed as to deny services to any person due to a disability as defined by the Americans With Disabilities Act of 1990, Pub. L. No. 101-336, 104 Stat. 328 (1990), or the Pennsylvania Human Relations Act, Act of 1955, P.L. 744, No. 222, as amended June 25, 1997 by Act 34 of 1997, 43 P.S. §§ 951-963.

III. Filing Legal Papers

Filing attorneys and parties are encouraged to utilize e-filing systems to file documents in filing offices maintaining such systems, and where e-filing is not available, to file by mail.

IV. Suspension of Rule-Based Right of Criminal Defendants to Prompt Trial

Subject to state and federal constitutional requirements, the operation of Pa.R.Crim.P. No. 600 is suspended for the duration of the judicial emergency, or through such other date as may be declared by order of court. Accordingly, the time from March 17, 2020 through the expiration of the judicial emergency, or through such other date as may be declared by order of court, shall be excluded from any time computation under Pa.R.Crim.P. No. 600.

V. Use of Advanced Communication Technology

1. Subject to state and federal constitutional requirements, the operation of any statewide or local rules that restrict, directly or indirectly, the use of Advanced Communication Technology is suspended.

2. Except as specifically set forth below and subject to the discretion of the presiding judge or judicial officer, the circumstances of the case, and applicable state and federal constitutional requirements, Advanced Communication Technology shall be used to conduct proceedings whenever practicable.

VI. In Person Proceedings

1. Where use of Advanced Communication Technology is impracticable or otherwise precluded by the circumstances of the case or applicable state and federal constitutional requirements, matters shall be scheduled to be heard in person before the Court in a manner that reduces congregate settings, with each matter being assigned a discrete timeframe for appearance.

2. For the purposes of this order, the following matters may be heard in person before the Court or a court officer under the conditions described above, as practicable:

a. petitions under the Protection From Abuse Act (“PFA”) and Protection for Victims of Sexual Violence and Intimidation Act (“PVSI”);

b. petitions for contempt of an order of protection entered in a PFA or PVSI proceeding;

c. emergency bail review and *habeas corpus* hearings;

d. Gagnon I hearings;

e. bench warrant hearings pursuant to Rule of Criminal Procedure 150;

f. juvenile delinquency detention hearings;

g. juvenile emergency shelter and detention hearings;

h. emergency petitions for child custody or pursuant to any provision of the Juvenile Act;

i. emergency petitions for guardianship;

j. civil mental health reviews pursuant to 50 P.S. §7302;

k. emergency equity civil matters (injunctions and stays);

l. Older Adult Protective Services hearings;

m. any pleading or motion relating to public health concerns and involving immediate and irreparable harm; and

n. any other proceeding deemed by the President Judge to be appropriately heard in person before the Court.

VII. General Continuance of Non-Emergent Proceedings

Any proceeding deemed by the Court or the Court Administrator to be non-emergent may be continued in the sole discretion of the Court or Court Administrator pending expiration of the judicial emergency or further order of court.

VIII. General Continuance of Sheriff's Sales

The monthly Sheriff's sales scheduled for January, February and March, 2021, are postponed and shall be rescheduled to April 9, 2021, and any requirement that Plaintiffs advertise the April 9, 2021 sale date or that the property be posted with new notice of sale is hereby waived. Plaintiffs shall, however, provide notice of the April 9, 2021 sale date to Defendant(s), lienholder(s) and other parties in interest by regular U.S.P.S. mail, proof of mailing.

IX. Jury Trials, Arbitrations and Formal Arraignments Stayed Through March 31, 2021

1. All jury trials, whether criminal or civil in nature and without regard to the number of jurors required, are suspended through March 31, 2021.
2. All compulsory arbitration proceedings are suspended through March 31, 2021.
3. Formal Arraignments pursuant to Pa.R.Crim.P. No. 571 are suspended through March 31, 2021.

This order supersedes any previously entered emergency order regarding the subject matter hereof, and shall expire on March 31, 2021, unless extended or superseded by further order of court.

BY THE COURT:



Wallace H. Bateman Jr., President Judge