

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA

IN RE: 49th JUDICIAL DISTRICT
JUDICIAL EMERGENCY ORDER

)
) No. CP-14-MD-0495-2020
)
) 39-MM-2020

FILED FOR RECORD
2020 SEP -3 PM 3:46
JENNIFER S. BRENN
PROTHONOTARY
CENTRE COUNTY PA

FIFTH AMENDED ADMINISTRATIVE ORDER

AND NOW, this 3rd day of September, 2020, upon consideration of the Pennsylvania Supreme Court's Order of March 16, 2020 declaring a general, Statewide Judicial Emergency, Order of April 28, 2020, extending the general, Statewide Judicial Emergency, and Order of May 27, 2020 ceasing the Statewide Judicial Emergency as of June 1, 2020, as well as this Court's previous Administrative Orders dated March 18, 2020, April 6, 2020, April 23, 2020, May 29, 2020, and June 25, 2020, it is hereby ORDERED and DECREED as follows:

1. The local judicial emergency for Centre County shall be extended through December 31, 2020 for the specific reasons set forth below and for the time frames prescribed.
2. From the date of this Order through December 31, 2020, all Common Pleas judges and Magisterial District Court judges are authorized and encouraged to continue the following:
 - a. Using advanced communication technology, including Zoom, telephone and audio/visual devices, when reasonably possible and practicable;
 - b. Staggering court appearance times to reduce contact;
 - c. Limiting meetings, conferences and other gatherings to essential participants to reduce contact.
3. Hearings requiring personal appearances will be scheduled at the discretion of the presiding judge.
4. Jury selection is cancelled for October 5 and 6, 2020 and December 7 and 8, 2020. Criminal jury selection shall be held on October 22 and 23, 2020 at the Penn Stater Hotel

and Conference Center for trials to be scheduled from the end of October 2020 through January 2021. The operation of Pennsylvania Rule of Criminal Procedure 600 shall remain suspended in Centre County until December 31, 2020, subject to constitutional limitations.

5. Criminal pre-trial conferences shall be held on September 18, 2020, September 24, 2020 and October 5, 2020. Attorneys shall be assigned a specific block of time on one of these days to address all of that attorney's pending cases through pre-trial conferences and guilty pleas. Defendants shall not appear unless they intend to enter a plea and have received permission to appear. The Commonwealth and Defense Attorneys shall work together to try to resolve as many cases as possible prior to the scheduled pre-trial conferences. November 16 shall not be used for criminal pre-trials but will be used as a general plea day.

6. The Prothonotary's office will continue to accept filings by e-filing, by regular mail and by in-person filing.

7. The Domestic Relations office will continue to accept filings only by mail and e-filing. All conferences will continue to be conducted remotely.

8. Individuals permitted access to any court facility shall be required to maintain appropriate social distancing, wear protective face masks and must comply with all safety guidelines issued by the Court and Staff.

9. Magisterial District Judges (MDJs) shall implement and follow the Center for Disease Control's (CDC) moratorium on evictions for non-payment of rent issued on September 1, 2020. This shall include the refusal to renew a lease if the only reason for non-renewal is failure to pay rent. This moratorium applies to residential leases only. The procedure shall be as follows:

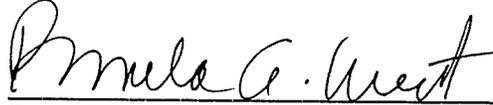
- a. MDJs may accept landlord/tenant complaints and schedule hearings.
- b. At the hearing, the MDJ will present and explain the CDC declaration to the tenant. All adult tenants on the lease, rental agreement or housing contract must sign a declaration.

- c. If the tenant(s) refuses to sign the declaration, the hearing may continue.
- d. At hearings for Complaints filed alleging non-renewal of a lease, the MDJ shall inquire into the reasons for the non-renewal. If the only reason is non-payment of rent, this procedure will be followed.

10. Only necessary and authorized individuals will be allowed entry to any court facility to minimize person-to-person contact. Members of the public, including the media, are permitted to observe court proceedings unless otherwise prohibited by law. Any person wishing to observe a court proceeding must contact the Centre County Court Administrator's Office one (1) business day prior to the proceeding in order for arrangements to be made to effectuate that person's attendance while complying with CDC guidelines and Centre County Safety Measures. Court Administration may be contacted by leaving a detailed message at 814-355-6727 requesting attendance at a court proceeding. Failure to make prior arrangements to attend such proceeding will result in entry to the proceeding being denied.

11. The purpose of this Administrative Order is to continue the gradual reopening of the Centre County Court system in a safe and efficient manner while adhering to CDC and Pennsylvania Department of Health guidelines in order to protect all court personnel, court users and the public.

BY THE COURT:



Pamela A. Ruest, President Judge