

IN THE COURT OF COMMON PLEAS OF CARBON COUNTY, PENNSYLVANIA
56TH JUDICIAL DISTRICT

In re: 56th Judicial District of Pennsylvania :
Declaration of Judicial Emergency : NO. 6-2020

ADMINISTRATIVE ORDER

In accordance with the Pennsylvania Supreme Court's Order dated March 16, 2020 declaring a General Statewide Judicial Emergency and in accordance with and in implementation of our Declaration dated March 17, 2020 declaring a Judicial Emergency in the 56th Judicial District, and in order to safeguard the health and safety of court personnel, court users, and members of the public on account of COVID-19, during the period of the Declared Judicial Emergency (*i.e.*, March 17, 2020 – April 14, 2020), and for any extension of that period as declared by subsequent order of this court, it is hereby

ORDERED and DECREED as follows:

1. The Common Pleas Judges of this Court and the Magisterial District Judges of the 56th Judicial District shall liberally grant continuance requests with respect to trials, hearings and conferences in all civil and criminal matters except those involving an essential judicial service (*e.g.*, criminal arraignments and bail establishment hearings, protection from abuse proceedings, and/or injunction proceedings where absent such proceedings there would be a threat of irreparable harm) or those otherwise subject to constitutional restrictions;

2. The Call of the Criminal Trial List scheduled for Tuesday, March 24, 2020 as well as any criminal jury trials scheduled for the week of March 30, 2020 are hereby continued and shall be rescheduled by Court Administration for the Call of the Criminal Trial List scheduled for May 26, 2020, excepting only those cases which may be brought

to the attention of the Court by counsel for either the Commonwealth or the Defense which may require special attention and which will be individually addressed by the Judge assigned to the case;

3. All criminal pretrial conferences scheduled for April 9, 2020 in the Carbon County District Attorney's Office shall be continued and rescheduled by Court Administration for a date subsequent to the period of the Judicial Emergency. Waivers with respect to criminal arraignments scheduled for April 9, 2020 will be accepted up until and including the date and time of the scheduled formal arraignment. Defendants who have failed to file a waiver prior to this date and time, shall appear in court for formal arraignment as scheduled;

4. Scheduling of larger court lists will be staggered to avoid larger groups of litigants/attorneys in the courtrooms with notice provided as soon as possible by Court Administration by a written scheduling notice; by telephone contact with the District Attorney and Public Defender Offices and/or with private counsel; or by other reasonable means;

5. All Gagnon and parole violation hearings for those in custody shall be held by advanced communication technology. All other such hearings shall proceed in court as scheduled;

6. All conferences involving custody and divorce matters scheduled before the Conference Officer, Eileen Diehl, Esquire, shall be by audio teleconference, unless an exception is specifically approved by the conference officer;

7. All preliminary hearings scheduled before a Magisterial District Judge, except those involving an incarcerated defendant, shall be continued and rescheduled by

the administrative staff of the Magisterial District Judge for a date following the period of the Declared Judicial Emergency;

8. All writs of possession of residential property in Carbon County with respect to landlord tenant matters shall be stayed through April 14, 2020;

9. All Magisterial District Judges Offices will be directed to implement similar strategies to minimize exposure (e.g. staggered scheduling, continuances) to be coordinated through Court Administration;

10. For any Children & Youth hearings (Emergency Shelter, Adjudication or Review) where there is a stipulation, no children, parents, foster parents or placement personnel will attend unless prior approval is obtained from the Court. All witnesses, with the exception of Children & Youth case workers, will be permitted to testify by telephone. Children & Youth will limit personnel at hearings to essential personnel only. Scheduling will be staggered at the discretion of the Court; and

11. All status conferences for Veterans Treatment Court and Drug Treatment Court are cancelled.

This order shall be **effective immediately** at the same date and time as the effectiveness of our order dated March 17, 2020 declaring the subject Judicial Emergency in the 56th Judicial District.

BY THE COURT:



Roger N. Nanovic, President Judge
March 17, 2020