

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

ADMINISTRATIVE DOCKET

IN RE: AMENDED)
FIFTH JUDICIAL DISTRICT) No. AD - 2020 - _____ - PJ
EMERGENCY OPERATIONS)
PLAN)
)

ORDER OF COURT

AND NOW, this 23rd day of March 2020, consistent with the Order of the Supreme Court of Pennsylvania dated March 16, 2020, this Court having declared a judicial emergency in the Fifth Judicial District of Pennsylvania, this Court amends its previous Emergency Operations Orders and now orders that the following actions be taken pursuant to Pa.R.J.A. No. 1952(B)(2):

- All time calculations for the purposes of time computation relevant to court cases or other judicial business, as well as time deadlines, are suspended subject to constitutional restrictions.
- All provisions of this Order apply to cases scheduled from March 24, 2020 through April 14, 2020.
- Until further Order of Court, the Family Law Center is closed to the Public.
- Until further Order of Court, the Civil Division courtrooms and offices located on the 7th and 8th floors of the City-County Building are closed

to the Public. The Housing Court Help Desk, located on the first floor of the City County Building, is also closed.

- Until further Order of Court, the Orphans' Court Division located in the Frick Building is closed to the Public.
- Until further Order of Court, the Criminal Division courtrooms and offices located in the Allegheny County Courthouse are closed to the public.
- Until further Order of Court, the Magisterial District Courts are closed to the public, with the exceptions set forth in the Magisterial District Courts section, below.
- News media shall be permitted into court facilities but only in a manner that is consistent with public safety.
- Building Security and Sheriff's Deputies assigned to any courthouse or court facility are authorized to deny admission to or remove a person who is visibly ill or who is exhibiting symptoms of COVID-19, provided that they provide such person with information (telephone number or email address) to enable them initiate, participate in, or complete necessary essential court business/functions during the judicial emergency.
- Only persons with essential court business shall be permitted into court facilities. Friends and family members may be required to wait outside the facility. The Sheriff's Deputies shall have the authority to limit the

number of persons entering or remaining in a court facility at any given time to ensure public safety.

- All court proceedings will be conducted by Advanced Communication Technology, primarily audio or teleconference, pursuant to the protocol for teleconference hearings issued by the Court. See attached Protocol for Teleconference Hearings.
- Temporary Protection From Abuse Hearings and Housing Court Hearings may continue to be held by videoconference. If a hearing cannot be conducted through videoconference, the hearing shall be held by audio or teleconference.
- Any existing Orders for fingerprinting and the requirement for fingerprinting, except for admission into the Allegheny County Jail, are suspended during the Judicial Emergency.
- Until further Order of Court, no inmates or juveniles will be transported from state correctional facilities, county jails or prisons, Shuman Detention Center, or Hartman Shelter. Where the participation of the inmate or juvenile is required, advanced communication technology shall be employed.
- When a court reporter or other approved form of recording court proceedings is unavailable, alternative forms of recording shall be permitted.

- Alternative methods of signing, delivery and service of court documents and orders shall be permitted. This includes, but is not limited to, facsimile signatures, electronic signatures, proxy signatures and designated court employees authorized to sign on behalf of a judge after the judge has reviewed and approved the document for signature. Pro se litigants completing forms at the Pittsburgh Municipal Court may authorize court employees to sign documents when necessary for the safety of the litigants and court employees. Under such circumstances the court employee will sign his/her name to the document indicating that the litigant has reviewed the document and that all of the information contained therein was provided by the litigant. If an employee must sign for a pro se litigant, he/she will do so in a manner allowing the litigant to see the employee sign the document.

Civil Division

- Jury and non-jury trials are suspended pending further Order of Court.
- Effective immediately General Motions heard by the General Motions Judge shall be restricted to Petitions for Injunctive Relief relating to public health and/or safety for and/or risk for human life concerns such as taking of residential property, ejection, eviction and/or other public health issues or concerns involving immediate and irreparable harm, or any other Emergency Motion.
- All Housing Court Motions shall be restricted to Emergency Motions relating to matters involving public health and/or safety for and/or risk for human life concerns, including but not limited to evictions, addressing suspension of utilities, and or other habitability issues involving public health and/or safety for and/or risk for human life concerns.

- Until further Order of Court, all Emergency Motions and Petitions for Injunctive Relief involving public health and/or safety for and/or risk for human life matters will be screened by sending the Emergency Motion or Petition for Injunctive Relief to civilpmcteam@alleghenycourts.us.
- If deemed to be an Emergency under the guidelines of this Order, argument will be scheduled by the Court as soon as possible. Such Emergency Motions and/or Petitions for Injunctive Relief will be heard by Advanced Communication Technology, audio or teleconference pursuant to the protocol for teleconference hearings issued by the Court. The method for the argument shall be coordinated in conjunction with scheduling argument thereon.
- The moving or petitioning party will be responsible to notify all other parties of the date and time of the oral argument or hearing.
- If a party is unable to email their Emergency Motion or Petition for Injunctive Relief to civilpmcteam@alleghenycourts.us, the party may call **(412) 439-7914** Monday through Friday between the hours of 9:00 A.M. and 3:00 P.M. to make arrangements to have the Emergency Motion or Petition for Injunctive Relief screened. Appointments for such screening will be made on a case by case basis.
- Emergency Motions and Petitions for Injunctive Relief will be handled Monday through Friday between the hours of 10:00 A.M. and 2:00 P.M.
- Discovery Motions are suspended pending further Order of Court.
- Arbitration hearings, including landlord/tenant arbitration hearings, are suspended until further Order of Court.
- Hearings before the Board of Viewers are suspended until further Order of Court
- In any case specially assigned to a judge, all current proceedings are suspended until further Order from the assigned judge.
- All previously scheduled motions, hearings, and/or oral arguments, including those on the General Argument list, are suspended until further Order of Court.
- Calendar Control Motions are suspended until further Order of Court.

- The Administrative Order at AD93 of 2020n regarding the continuation of cases scheduled for Allegheny County Sheriff's Sale on April 6, 2020, is hereby incorporated into this Order.
- The Administrative Order at AD94 of 2020 regarding the suspension of execution of Writs of Possession by the Allegheny County Sheriff's Office, is hereby incorporated into this Order.

Criminal Division

- All court events, except as indicated below, in each of the Criminal Division courtrooms are suspended until further Order of Court. Courtroom staff will notify all litigants prior to their scheduled events and propose a continuance date acceptable to all parties.
- Daily motions court are limited to bail hearings, motions to lift detainers, and other emergency matters. These hearings will be conducted by audio/teleconference.
- All Bail Motions and Emergency Motions shall be filed through PACFile. A copy of the Motion shall be emailed to PTS_Bail_Questions_Bin@alleghencourts.us.
- Pending Orders for the initiation and/or installation of Electronic Monitoring for Criminal Defendants are suspended and no new orders for Electronic Monitoring will be accepted by Adult Probation for supervision during the Judicial Emergency. Current orders being screened will be placed on home detention without the electronic equipment. The Probation Office is hereby authorized to impose additional conditions designed to ensure that Defendants comply with home detention. Defendants currently on Electronic Monitoring will continue to be monitored during the Judicial Emergency.
- Summary and statutory appeals are suspended until further Order of Court.
- The motions counter in Room 534 in the Allegheny County Courthouse is closed until further notice. For **emergency** motions please contact the court at **(412) 350-1229**, Monday through Friday between 9:00 A.M. and 3:00 P.M.

- Defendants who wish to address warrants for failure to appear may do so by phoning **(412) 350-1229**, Monday through Friday between 9:00 A.M. and 3:00 P.M.
- Pretrial conference and formal arraignments are suspended until further Order of Court.

Family Division

Child Support, Divorce, Alimony, & Equitable Distribution of Property

- Scheduled conferences and hearings in support, custody, equitable distribution, and divorce are suspended until further Order of Court.
- With the consent of the parties, any matter may be presented to the Court by motion, without a hearing, pursuant to the judges' procedures on the website, for entry of an Order.
- Effective Thursday, March 26, 2020, for **emergency** matters involving child support please call **(412) 350-1500**, Monday through Friday between 9:00 A.M. and 3:00 P.M.

Custody

- **Emergency** custody motions will be addressed on a case by case basis. For **emergency custody motions** please contact the court by email at emergencycustody@allegheycourts.us
- With the consent of the parties, any matter may be presented to the Court by motion, without a hearing, pursuant to the judges' procedures on the website, for entry of an Order.
- **Effective Thursday, March 26, 2020, Monday through Friday between 9:00 A.M. and 3:00 P.M.** please call **(412) 350-1500** for questions concerning other emergency custody matters,

Protection from Abuse

- Until further Order of Court, all Temporary Protection from Abuse matters will be handled at the Pittsburgh Municipal Court Building, 660 First Avenue, Pittsburgh, PA 15219. Proceedings will be conducted using Advanced Communication Technology.

- Temporary Protection from Abuse Petitions will be handled between the hours of 8:00 A.M. and 2:00 P.M Monday through Friday.
- Emergency Protection from Abuse petitions will be handled from 2:00 P.M. until 8:00 A.M. Monday through Friday and 24 hours Saturday and Sunday.
- Final Protection from Abuse Hearings are suspended until further Order of Court.
- Temporary Orders for Protection from Abuse shall remain in effect until fifteen (15) days after the end of the judicial emergency unless otherwise indicated in the Temporary Order.
- Until further Order of Court, Indirect Criminal Contempt (ICC) Complaints will not be accepted by private petition.
- ICC Police Complaints will be accepted, and bail hearings will be held before a Magisterial District Judge using Advanced Communication Technology. If a defendant is detained, a bail hearing shall be held before the Judge assigned to hear the Temporary PFA Petitions.
- Hearings on ICC Complaints are suspended until further Order of Court.
- **Effective Thursday, March 26, 2020, Monday through Friday between 9:00 A.M. and 3:00 P.M.** please call **(412) 350-1500** for questions concerning Protection from Abuse.

Juvenile Delinquency

- All Juvenile Delinquency Proceedings shall be conducted using Advanced Communication Technology.
- One Judge will be assigned each day to handle all juvenile matters, regardless of judge assignment.
- Detention hearings shall be heard on Mondays, Wednesdays, and Fridays.
- Emergency Motions will be heard on Tuesdays and Thursdays. All Motions shall be filed through PACFile with a copy e-mailed to juvenilemotions@alleghecourts.us.

- In cases where the juvenile is detained prior to the adjudicatory hearing, the Court may schedule the adjudicatory hearing more than ten days after the filing of the petition or the prehearing conference as deemed appropriate by the judge, but the Court must review the detention status by memo every ten days until the adjudicatory hearing is held. The attorney for the Juvenile and the attorney for the Commonwealth shall be provided the opportunity to provide input in writing and/or by telephone. In all cases, the Court shall determine whether the continued detainment is constitutionally permissible.
- Adjudicatory and dispositional hearings for juveniles who are not detained are suspended until further Order of Court.
- Post-dispositional review hearings, except for post-dispositional proceedings involving a probation violation or failure to adjust allegation where a juvenile is detained are suspended until further Order of Court.
- Post-dispositional hearings where the recommendation is to close supervision may be presented by memo, for the entry of an Order to terminate supervision.
- Post-dispositional proceedings involving a probation violation allegation or failure to adjust allegation where the juvenile is detained shall be presented by video or teleconference.
- With the consent of the parties, any matter may be presented to the Court by memorandum, without a hearing, for entry of an Order.

Juvenile Dependency

- All Juvenile Dependency Proceedings shall be conducted using Advanced Communication Technology.
- One Judge will be assigned each day to handle all juvenile matters, regardless of judge assignment.
- Juvenile dependency matters, with exception of shelter care hearings and adjudicatory and dispositional hearings where the child is in placement including kinship care, congregate care, or foster care, are suspended until further Order of Court.

- Dependency adjudicatory and dispositional hearings where the child is in placement will be heard daily.
- The Court shall continue to handle shelter care proceedings, pursuant to Pa. C.S. 6332. Shelter care hearings will be heard daily. No walk-in shelter care hearings will be permitted.
- The Court shall continue to issue orders for protective custody, pursuant to Pa. R.J.C.P. Rule 1210.
- The Court shall continue to be available to issue orders for Authorization for Medical Treatment of a Minor, pursuant to 18 Pa. C.P.S. 3201.
- Emergency Motions will be heard on Tuesdays and Thursdays. All Motions shall be filed through PACFile with a copy e-mailed to juvenilemotions@alleghecourts.us.

Orphans' Court Division

- All scheduled conferences and hearings are suspended until further Order of Court.
- All Emergency motions will be heard by audio or teleconference. **Effective Thursday, March 26, 2020**, Emergency Motions shall be emailed to emergencyorphansmotions@alleghecourts.us.
- Involuntary civil commitment hearings will continue as scheduled and will be conducted by audio or teleconference.

Magisterial District Courts

- All Magisterial District Courts are closed to the public. Pittsburgh Municipal Court Arraignment Division will remain open to the public for Emergency Protection from Abuse petitions.
- Police agencies are to follow the Revised Magisterial District Courts COVID-19 Plan for the filing of criminal complaints, ICC complaints, arrest warrants, and search warrants. Eight Magisterial District Courts will remain open to the police for designated operations. See attached Revised MDC COVID-19 plan.
- All cases in the Magisterial District Courts are postponed.

- **Until March 25, 2020**, eight Magisterial District Courts will remain open to police agencies for designated operations which include:
 - Criminal Complaint filing, Arrest Warrant requests and On-View Arrests only,
 - Search Warrant issuance,
 - Bail Hearings and Bail Hearings on ICC Complaints filed by police.
- All new criminal cases that are filed during the pendency of this order shall be scheduled after April 15, 2020.
- **Effective March 25, 2020**, Magisterial District Judges will be remotely available to handle essential designated operations which include:
 - Criminal Complaint filing, arrest warrant requests and cases initiated by on-view arrests only,
 - Search Warrant issuance,
 - Bail Hearings and Bail Hearings on ICC Complaints filed by police.
- There will be no identification process at time of arrest, defendants will be assigned a fingerprint appointment for a later date.
- Facsimile signatures are to be used for documents generated in the Magisterial District Judge Computer System.
- Police complaints, affidavits, and search warrant requests filed with an electronic signature shall be accepted by the Court.
- After review and with their approval, a Magisterial District Judge may permit staff to sign a criminal complaint on their behalf. The Magisterial District Judge shall utilize the procedures set forth below.
 - The Magisterial District Judge shall review the criminal complaint and electronically notify the staff of their approval.
 - A record of this permission shall be attached to the criminal complaint.
 - The form of signature shall be Magisterial District Judge Name/Staff initials.
- Execution of Orders for eviction or possession of residential properties in Allegheny County are stayed.
- All time calculations relevant to Magisterial District Court proceedings located in the Pennsylvania Rules of Conduct, Office Standards for Civil

Procedure for Magisterial District Judges and the Pennsylvania Rules of Criminal Procedure shall be suspended.

- Emergency Protection from Abuse petitions will be handled from 2:00 P.M. until 8:00 A.M. Monday through Friday and 24 hours Saturday and Sunday. Until further Order of Court, all Protection from Abuse matters will be handled at the Pittsburgh Municipal Court Building, 660 First Avenue, Pittsburgh, PA 15219.
- Until further Order of Court, Indirect Criminal Contempt (ICC) Complaints will not be accepted by private petition.
- ICC Police Complaints will be accepted, and bail hearings will be held before a Magisterial District Judge using Advanced Communication Technology. If a defendant is detained, a bail hearing shall be held before the Judge assigned to hear the Temporary PFA Petitions.
- All Proceedings will be conducted using Advanced Communication Technology, which includes audio or videoconference.

BY THE COURT:



P. J.

KIM BERKELEY CLARK
PRESIDENT JUDGE

REVISED MAGISTERIAL DISTRICT COURTS COVID-19 PLAN

Magisterial District Judges will be available remotely to handle designated essential operations. The Magisterial District Judges will be assigned on a rotating basis.

The designated essential operations are as follows:

- Criminal case filings, arrest warrant requests and on-view arrest cases and subsequent processing, which includes arraignments
- Issuance of search warrants
- Emergency Protection from Abuse Petitions

Police departments will contact court personnel to initiate proceedings at MDJSWarrants@allegheycourts.us. Detailed instructions on the steps to follow for remote processing will be sent to all police departments.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN RE THE ALLEGHENY COUNTY SHERIFF'S OFFICE)

) Administrative Docket

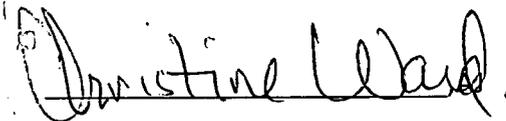
) AD 93 2020

ORDER OF COURT

AND NOW this 16th day of March 2020, it is hereby ORDERED, JUDGED AND DECREED that all cases listed for the regularly scheduled April 6, 2020 Allegheny County Sheriff's Sale shall be continued to the June 1, 2020 Sheriff sale. All cases listed currently on the April 6, 2020 sale, including those which have previously been postponed to that date may be postponed by the Plaintiff to the regularly scheduled monthly sale in July 2020 or any regularly scheduled sale thereafter by contacting the Allegheny County Sheriff's Office in writing on or before April 14, 2020 and the Sheriff shall abate charging it's postponement fee one time for each sale number.

This Order shall be published by the Sheriff in the Post-Gazette for two successive Sundays as part of its Sunday sale list advertisement and two times in the Pittsburgh Legal Journal and shall also be posted on the Sheriff's Office website and its social media pages.

BY THE COURT,



FILED

2020 MAR 17 AM 8:42

COURT REPORTER
FAMILY DIVISION
ALLEGHENY COUNTY PA

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENN.

EMERGENCY JUDICIAL ORDER

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Administrative Docket

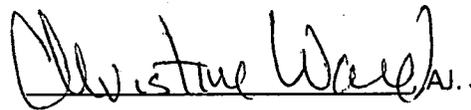
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AD 94 2020

ORDER OF COURT

AND NOW this 16th day of March 2020, it is hereby ORDERED, JUDGED AND DECREED that the Allegheny County Sheriff's Office shall not execute any Writs of Possession effective immediately through April 14, 2020. Should any Writs issued prior to this Order expire before April 14, 2020 and having been delivered to the Sheriff but the Sheriff has not effectuated possession, then the Department of Court records shall reissue the writ, pursuant to Pa. R.C.P. 3106(b) and the Sheriff's Office shall execute without assessing additional service fees to the Plaintiff.

BY THE COURT,



FILED

2020 MAR 17 AM 8:42

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FAMILY DIVISION
ALLEGHENY COUNTY PA

Protocol for Teleconference Hearings

Protocol BEFORE the hearing

1. Twenty-four (24) hours before the scheduled hearing, the Court shall provide counsel (or the parties in the case of self-represented or pro se litigants) and the court reporter that the Court will be using with the call information including the date and time of the hearing and the toll-free call-in number and the access code.
2. It is the responsibility of the attorneys to provide this information to their clients and to their witnesses.
3. It is the responsibility of self-represented litigants to provide this information to their witnesses.
4. Twenty-four (24) hours before the hearing the attorneys shall provide all counsel, the court, and the Office of the Court Reporters with a witness list, which shall include the case caption and docket number, the type of proceeding or hearing, and the names of all prospective witness (correct spellings of first and last names).
5. Witness lists may be emailed to the Office of the Court reporters at the following email address: gkushner@alleghenycourts.us.
6. The court shall provide the attorneys with the email address to send the witness list.
7. Self-represented litigants shall not be required to provide a witness list.
8. **All parties and witnesses must call into the conference line at least five minutes before the scheduled starting time of the call.**
9. The court should take care to schedule the hearings so that there is no overlap in the calls.