

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY, PENNSYLVANIA

In Re: Judicial Facilities

**Supervisory Order  
No. 2021-SO-30**

**ORDER OF COURT**

AND NOW, this 28<sup>th</sup> day of May, 2021, pursuant to the authority granted by Pennsylvania Rule of Judicial Administration 1952, and in recognition of the continued risk of COVID-19 infections in County/Court offices, it is hereby Ordered:

**1. Judicial Facilities** – Any person entering a judicial facility or the environs of a judicial facility shall comply with current CDC guidelines as applicable on the day of entry. For purposes of this Order, the term judicial facility means any courtroom, hearing room, or judicial chambers used by the Court, including Magisterial District Courts, to conduct trials, hearings, or any other court related business including rooms made available to interview witnesses. The term also includes the Department of Probation Services, the Domestic Relations Office, the Department of Operational Services, the Clerk of Courts/Clerk of Orphans' Court Office, the Prothonotary's Office, the Register and Recorder of Deeds Office, and Court Administration. The environs of a judicial facility include the entire floor on which is located a courtroom, hearing room, jury room, prisoner holding room, Security Department station, or any court filing office including the Prothonotary's Office, the Clerk of Courts Office, the Domestic Relations Office, and the Department of Probation Services Office. The term also includes any elevator area and stairwell accessing a judicial facility.

All employees and members of the public conducting court business in any office of a judicial facility shall comply with all protocol/procedures adopted by the office as may be necessary for the safety of staff and in compliance with CDC guidelines provided the protocol/procedures do not preclude public access to court filings or interfere with the timely processing of court documents and further provided that any such protocol/procedures are pre-approved by the President Judge.

**2. Judicial Proceedings** – All Court of Common Pleas evidentiary proceedings and Magisterial District Court proceedings shall be limited to the parties, witnesses, and counsel. Witnesses may appear telephonically or by other advanced communication technology by agreement of the parties approved by the presiding Judge. For purposes of this paragraph, Court of Common Pleas evidentiary proceedings include master's hearings, arbitration hearings, and any other quasi-judicial evidentiary proceeding.

All pre-trial conferences and non-evidentiary proceedings, including custody conciliations, may be conducted telephonically or in-person at the direction of the presiding Judge or conciliator.

Members of the public, including the media, are permitted to observe court proceedings provided the proceeding is not otherwise closed to the public by prevailing law. Observation shall be conducted by advanced communication technology as arranged by the Adams County Court Administrator's Office. Any person wishing to observe a court proceeding must contact Court Administration one (1) business day prior to the proceeding in order for arrangements to be made to effectuate that person's observation by advanced communication technology. Court Administration may be contacted by leaving a detailed message at 717-337-9846 requesting attendance of a court proceeding. Failure to make prior arrangements to attend such proceeding will result in entry to the proceeding being denied. Any person permitted to observe court proceedings by advanced communication technology is prohibited from re-broadcasting, televising, recording, or photographing the proceeding. When a proceeding is being broadcast for purposes of observation, the presiding Judge shall, prior to conducting the proceeding, inform all parties and witnesses as to the form of observation and identify the party participating in the observation.

For purposes of this Order, parties are defined as those identified in the pleadings including the child/children in custody matters; the child/children and care providers in dependency matters; and the parents/legal guardians of a child in delinquency matters or any other matter wherein the child is a party.

Department of Probation Services staff and Children and Youth Services staff shall also be considered as parties for purposes of this paragraph.

This paragraph shall remain in effect through August 31, 2021 at which time it shall automatically expire unless otherwise extended by subsequent order of court.

**3. Office Hours** – All judicial facilities and Court offices shall be open to conduct public business between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday unless specific exception is granted by order of the President Judge or, in the case of the Department of Probation Services and the Domestic Relations Office, the Administrative Judge.

Filing offices are permitted to operate deposit boxes located in the entryway of the Adams County Courthouse and the Human Services Building in addition to, but not in lieu of, the designated office hours set forth herein. In the event a filing office continues to utilize deposit boxes, any documents deposited in said boxes before 4:00 p.m. must be filed and docketed by the staff of the respective filing office that same date. The filing office shall post any deposit boxes accessible after 4:00 p.m. with notice that any documents deposited therein after 4:00 p.m. will not be considered filed and docketed until the next business day.

**4. Location of Court Proceedings** – All proceedings for non-incarcerated individuals held on Arraignment and Sentencing Court, DUI Court, Revocation Court, and Criminal Plea Court for non-incarcerated defendants shall be held in the Human Services Building Courtroom through and including August 31, 2021. The location of all other court proceedings shall be held at the location originally contemplated at the time of adoption of the 2021 Court Calendar unless otherwise changed by court order.

Effective September 1, 2021, this paragraph shall automatically expire and all court proceedings shall be held at the location originally contemplated at the time of adoption of the 2021 Court Calendar unless otherwise changed by court order.

**5. Location of Court Proceedings for Incarcerated Individuals** – All proceedings for incarcerated individuals, including Central Court, conducted through and including August 31, 2021 shall be held on the dates scheduled but shall be conducted utilizing advanced communication technology pursuant to procedures adopted by Court Administration. If presented with a complex matter, a Court of Common Pleas Judge may order the Sheriff's Office to present an incarcerated defendant directly to the courtroom. If the defendant is housed in a correctional facility outside of the Adams County Adult Correctional Complex, the presiding Judge should direct that the defendant be produced so that it is unnecessary to house the defendant in the Adult Correctional Complex but should be produced and returned to the home facility on the same day.

Effective September 1, 2021, proceedings for incarcerated individuals shall continue to be conducted utilizing advanced communication technology pursuant to Pennsylvania Rule of Criminal Procedure 119. Pursuant to that rule, formal arraignment, and any other proceeding not specifically prohibited under the rule for incarcerated individuals, shall be conducted by advanced communication technology. With the consent of the defendant, the proceedings identified in Pennsylvania Rule of Criminal Procedure 119 may be conducted using advanced communication technology. Court Administration shall develop procedures and practices for conducting video arraignments and other criminal proceedings for incarcerated individuals who have waived their right to personally appear.

**6. Criminal Court Scheduling** – All criminal court proceedings shall be scheduled pursuant to procedures adopted by the Court Administrator's Office which procedures shall stagger individual cases in specific time slots to further judicial efficiency and comply with CDC guidelines.

**7. Juvenile Court Scheduling** – The Department of Probation Services and Children and Youth Services are directed to stagger individual cases in time

slots for Delinquency Court and Dependency Court to further judicial efficiency and comply with CDC guidelines.

**8. Jury Trials** – All criminal and civil jury trials will be conducted with in-person jury selection pursuant to procedures established by the Court Administrator's Office in compliance with current CDC guidelines. The provisions of paragraph 2 above shall apply to the criminal trial terms commencing June 14, 2021 and August 2, 2021

**9. Re-Entry Facility** – All community releases for employment, visitation, community visits, treatment, or any other reason are suspended through August 31, 2021. Pending further order of court, the Adams County Work Release Program is suspended. No person shall be sentenced to any sentence which permits community release from the Adams County Adult Correctional Complex or the Adams County Re-Entry Facility until further order of court. This paragraph shall not prohibit release on parole or upon successful completion of the incarcerated portion of a sentence nor shall it prohibit the Adams County Warden from taking temporary action to preserve the health and welfare of an inmate or the safety of the facility.

The Adult Correctional Complex is directed to adopt procedures for family non-contact visits with residents of the Re-Entry Facility to occur by telephone, video conferencing, or other media.

All fees charged to any person housed at the Re-Entry Facility are suspended pending further order of court.

**10. Domestic Relations** – Domestic Relations establishment and enforcement conferences may be held telephonically or by video conferencing via WebEx and/or Microsoft TEAMS unless any party requests the proceeding be conducted in-person in which case an in-person conference shall be held.

This paragraph does not preclude the Domestic Relations Office from conducting a hearing telephonically or by video conferencing where a court

order exists prohibiting in-person contact between the parties or other safety issue presents.

**11. Out-of-County Prison Transports** – No person shall be transported by the Adams County Sheriff's Department from another correctional institution on a detainer placed by the Adams County Department of Probation Services or on any arrest warrant prior to a video conference hearing being conducted pursuant to the procedures of this section.

Upon receipt of notice from any out-of-county correctional institution that a person is available for transport to this county, the Sheriff's Department shall promptly alert Court Administration of the same. Thereafter, Court Administration shall make arrangements for a hearing to be conducted by video conferencing with the host facility. Notice shall be provided to the Adams County District Attorney's Office, the Adams County Public Defender's Office, the Department of Probation Services, and the Adams County Prison Warden. All such video conference hearings shall be scheduled on the first bench warrant day proceedings following notice from the Sheriff's Department. Although the Warden is not a party to the proceedings, she may provide written comments to the Court, with notice to all parties, prior to commencement of the hearing. If Court Administration is unable to arrange video conferencing, all counsel are directed to appear at the designated time for a conference in lieu thereof. Video conferences may be scheduled by Court Administration at other times to accommodate urgent circumstances.

This Order is effective June 1, 2021.

The Adams County Court Administrator's Office is directed to post a copy of this Order on the Fifty-First Judicial District's website and on the Adams County website. A copy of this Order shall be transmitted to all members of the Adams County Bar Association.

BY THE COURT:

**MICHAEL A. GEORGE**  
President Judge

Board of Judges  
Board of Commissioners  
Magisterial District Judges  
Court Administration  
Department of Probation Services  
Domestic Relations Office  
Children & Youth Services  
Department of Operational Services  
Clerk of Courts/Orphans' Court Office  
Prothonotary's Office  
Register & Recorder of Deeds Office  
Department of Emergency Services  
District Attorney's Office/Victim Witness Office  
Public Defender's Office  
Sheriff's Department  
Adult Correctional Complex  
Robert Powell, Chief Tipstaff  
Court Reporters  
Security Department  
Law Library  
jvs