

IN THE COURT OF COMMON PLEAS
OF LUZERNE COUNTY

IN RE: 11th JUDICIAL DISTRICT : NO: 4174 of 2020
JUDICIAL EMERGENCY PROCEDURES : NO: 403 MD 2020

PROTHONOTARY LUZERNE COUNTY
FILED JUL 22 2020 11:02

ORDER

AND NOW, this 22 day of July, 2020, pursuant to the Judicial Emergency previously declared by this Court as approved by the Supreme Court of Pennsylvania and the authority of the Court pursuant to Pa.R.J.A. 1952(B) to address the emergency circumstances due to the number of sheriff's deputies subject to quarantine, and to protect the health and welfare of the public, litigants and employees to the extent possible, IT IS HEREBY ORDERED and DECREED as follows:

1. Pending further Order of Court, only civil and criminal proceedings which directly impact the health, safety, security, welfare or incarceration of an individual shall be held as would normally be scheduled. All other proceedings shall be postponed to a later date.

2. In particular the following matters shall be postponed and rescheduled:

- Civil arbitration hearings
- Summary appeal hearings
- Driver's license appeal hearings
- Mortgage diversionary proceedings
- Consumer debt diversionary proceedings
- Tax appeal hearings
- Motor vehicle title proceedings
- Quiet title proceedings
- Gagnon I Hearings for non-incarcerated Defendants
- Driving Under Influence Call of List
- Adoption proceedings

3. The following matters shall be held as normally processed:

- Protection from Abuse hearings
- Bail postings
- Preliminary arraignments
- Lift warrant hearings
- Civil injunction proceedings

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- Mental health proceedings
- Guardianships
- Gagnon I Hearings for incarcerated Defendants (video conference)
- Specialty Court proceedings

4. Family Court shall continue to operate to the extent possible to address all emergency matters. In the interim all hearings or conferences before a Hearing Officer shall be conducted by telephone conference and/or postponed to a later date. All pending matters before a Judge shall be reviewed on an individual basis to determine the need to postpone and reschedule or address by alternate measures such as telephone conference.

5. The Domestic Relations Office shall conduct all proceedings for intake, conference and before the Hearing Officer telephonically. All normal contact with clients and/or the public shall also be telephonically.

6. Luzerne County Adult Probation and Parole Department shall conduct all proceedings for intake, conference and before the Hearing Officer telephonically. All normal contact with clients and/or the public shall also be telephonically.

7. All jury trials are hereby postponed pending further Order of Court. Jurors shall not appear as previously directed.

8. All dependency and/or delinquency proceedings that require immediate judicial review or adjudication shall be promptly heard by the assigned Judge. All other matters will be reviewed by the assigned Judge on an individual case basis. Cases that do not require immediate substantive actions such as case review, shall either be rescheduled or held telephonically within the discretion of the presiding Judge.

9. All Internships are cancelled.

10. Judges shall review their individual calendars and whenever possible conduct necessary proceedings and/or conferences telephonically. Each Judge shall take the appropriate steps in scheduling to their individual calendar to comply with the provisions of this Order.

11. Nothing herein shall be construed to impact the right to speedy trials or other constitutional rights or procedures. On the contrary, all constitutional requirements shall be followed in all matters.

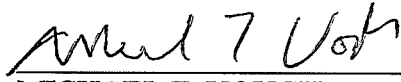
12. The District Court Administrator and the Office of Court Administration shall take all administrative steps to effectuate this Order.

IT IS FURTHER DIRECTED that this Order shall be posted in a public location in all Court facilities, shall be made available on the County and Court website and shall be provided to the Wilkes-Barre Law & Library Association for publication in the Luzerne County Legal Register.

This Order shall be effective beginning at 4:30 p.m. on July 22, 2020 and shall expire on at 8:30 a.m. on August 3, 2020 unless extended by further Order.

COMPLIANCE HEREWITH IS DIRECTED.

BY THE COURT:


MICHAEL T. VOUGH, P.J.

Copies To:

All Judges of the 11th Judicial District
Paul Hindmarsh - Luzerne County District Court Administrator
Court Administration
David Pedri, Esquire – Luzerne County Manager
Romilda Crocamo, Esquire – Luzerne County Solicitor
Stephanie Salavantis, Esquire – Luzerne County District Attorney
Steven Greenwald, Esquire – Luzerne County Public Defender
John Hakim, Esquire – Luzerne County Office of Law
Luzerne County Adult Probation & Parole
Luzerne County Domestic Relations Section