

IN THE SUPREME COURT OF PENNSYLVANIA  
WESTERN DISTRICT

IN RE: TEMPORARY AMENDMENT )  
TO FIFTH JUDICIAL DISTRICT ) No. 23 WM 2020  
EMERGENCY OPERATIONS )  
PLAN )  
)

**ORDER OF COURT**

**AND NOW**, this 20<sup>th</sup> day of November 2020, this Court recognizes, that due to the rising number of positive COVID tests in Allegheny County, further efforts must be made reduce the amount of people present in court facilities while keeping the courts open to the public. Accordingly, the Court temporarily amends its Emergency Operations Order entered on August 31, 2020 and it is hereby **ORDERED** that the following measures be taken pursuant to Pa.R.J.A. No. 1952(B)(2) effective Tuesday November 24, 2020 through Friday December 4, 2020:

**Court of Common Pleas**

During this period of time, all matters, shall be conducted remotely via Advanced Communication Technology and no in-person hearings or proceedings shall occur in any division of the Court of Common Pleas other than as set forth below. All proceedings that can be conducted remotely shall proceed as scheduled. Persons summoned to appear for jury selection from

Tuesday, November 24, 2020 through Friday, December 4, 2020 shall not be required to appear.

### Postponements

- All proceedings scheduled between November 24, 2020 and December 4, 2020 that cannot be conducted using Advanced Communication Technology shall be postponed to a date certain after December 4, 2020 pursuant to the procedures for each division.
- Parties with Civil Division jury trials scheduled within this time period should contact Civil Division Calendar Control to reschedule the jury trial. The Calendar Control Department can be contacted by emailing [Denise.seibel@alleghencourts.us](mailto:Denise.seibel@alleghencourts.us) or, by calling 412-350-5417.
- Parties with an in-person arbitration hearing scheduled during this period may request that their hearing be rescheduled to another date to proceed remotely using Advanced Communication Technology. Parties requesting a remote ACT arbitration hearing shall do so utilizing the forms, instructions and protocols found on the Court's website at <https://www.alleghencourts.us/civil/arbitration.aspx>.

### In-Person Hearings

- ICC Hearings for incarcerated individuals shall proceed as scheduled in the Family Division, with as many participants appearing by Advanced Communication Technology as possible, including witnesses and attorneys.

All Court of Common Pleas facilities shall remain open to the public and open for case filings including, but not limited to:

- The Criminal Division Miscellaneous Motions Counter, Room 534 for acceptance of filings;
- The Formal Arraignment section, Room 519, for those defendants with a scheduled formal arraignment who have not waived their presence;
- The Civil Division Housing Court Help Desk for assistance to landlords and tenants.

### **Magisterial District Courts**

The operations in the Magisterial District Courts are temporarily modified as follows:

#### Postponements

- All Summary Non-Traffic/Traffic proceedings scheduled between November 24, 2020 and December 31, 2020, shall be postponed to a date certain after January 1, 2021.
- All Civil and Landlord-Tenant proceedings scheduled between November 24, 2020 and December 4, 2020 shall be postponed to a date certain after December 4, 2020.
- Preliminary hearings for individuals on bail scheduled between November 24, 2020 and December 4, 2020, shall be postponed to a date certain after December 4, 2020.

#### In-Person Hearings

There will be no in-person hearings in the Magisterial District Courts except:

- Preliminary Hearings for incarcerated individuals shall proceed as scheduled, with as many participants appearing by Advanced

Communication Technology as possible, including witnesses and attorneys.

- Emergency PFA Petitioners may appear in person to present their petitions per the August 31, 2020 Emergency Operations Order.
- Preliminary Arraignments will proceed per the August 31, 2020 Emergency Operations Order.

The Magisterial District Courts shall remain open to the public and open for case filings, payments and case processing.

### **Pittsburgh Municipal Court**

The operations in Pittsburgh Municipal Court are temporarily modified as follows:

#### Postponements

- Non-Traffic summary proceedings scheduled between November 24, 2020 and December 31, 2020, shall be postponed to a date certain after January 1, 2021.
- Preliminary hearings for individuals on bail scheduled between November 24, 2020 and December 4, 2021, shall be postponed to a date certain after January 1, 2021.

#### In-Person Hearings

There will be no in-person hearings at Pittsburgh Municipal Court except:

- Traffic summary proceedings will take place in person as scheduled at the David L. Lawrence Convention Center.
- Preliminary Hearings for incarcerated individuals shall proceed as scheduled, with as many participants appearing by Advanced

Communication Technology as possible, including witnesses and attorneys.

- Emergency PFA Petitioners may appear in person to present their petition per the August 31, 2020 Emergency Operations Order.
- Preliminary Arraignments will proceed per the August 31, 2020 Emergency Operations Order.

Pittsburgh Municipal Court shall remain open to the public and open for case filings, payments and case processing.

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All other provisions of the Emergency Operations Plan Order entered on August 31, 2020 shall remain in effect. All Court facilities shall remain open to the public and open for case filings and other business except as described above. Further Order of Court will be issued on or before December 4, 2020.

**BY THE COURT:**



\_\_\_\_\_, P. J.  
Kim Berkeley Clark  
President Judge