

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

AND

**COURT OF COMMON PLEAS OF HUNTINGDON COUNTY,
PENNSYLVANIA**

IN RE: 20 th Judicial District – Conduct of	:	33 MM 2020
Magisterial District Court Proceedings	:	CP-31-MD- <u>189</u> 20
via Advanced Communication	:	AO-18-2020
Technology During Judicial Emergency	:	

ADMINISTRATIVE ORDER

AND NOW, this 28th day of April, 2020, in an effort to limit the spread of COVID-19, and pursuant to the Supreme Court's Orders of March 16, 2020, and April 1, 2020 (Nos. 531 and 532 Judicial Administration Docket), this Court's Declaration of Judicial Emergency, issued March 16, 2020, and all extensions thereof, and this Court's Administrative Order AO-16-2020, issued April 22, 2020, as amended, the Court Orders as follows:

1. This Administrative Order pertains directly to the operation of the Magisterial District Courts of the 20th Judicial District (each, an "MDC"). It is an extension of AO-16-2020, which focused on the Court of Common Pleas.
2. Effective May 4, 2020, the MDCs will resume normal operations to the fullest extent attainable via means of advanced communication technology ("ACT"). The primary means will be the Zoom video communications platform, with telephone conference call as a backup.
 - a. For criminal matters involving defendants who are in custody, the MDC should make arrangements based on the technology capabilities of the correctional facility housing the defendant and the specific defendant's housing situation.

The Original of the Document has
been filed in the Office of the
Prothonotary/Clerk of Court on

APR 28 2020

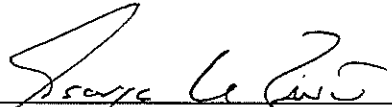
- b. Waiver hearings, preliminary hearings, summary trials, civil trials, and the like shall generally be conducted via Zoom; however, each MDC shall have the option to schedule payment determination hearings by telephone in lieu of Zoom.
3. Central Court is hereby suspended for the duration of the Judicial Emergency. Each MDC will schedule hearings for new criminal matters charged in their jurisdiction, subject to direction from this Court as may be issued from time to time. Further, each Central Court case that was continued as a result of the Judicial Emergency shall be rescheduled before the MDC that has jurisdiction over such case in the absence of Central Court.
4. Consistent with AO-16-2020, as amended, **all parties in all matters** before the MDCs **are required** to appear via ACT, absent prior approval by this Court. The protocols for criminal and civil matters established pursuant to AO-16-2020 shall govern the conduct of such hearings before the MDCs, and shall be directly applicable to attorneys appearing in such matters. However, defendants (and plaintiffs, for civil matters) appearing before the MDCs will not be held to have knowledge of such protocols before their appearance; rather, the Magistrate District Judge should inform them of the protocols as needed during the proceeding. **Defendants (and plaintiffs, for civil matters) shall be held to the protocols set forth the first attached Notice, which shall be enclosed with every notice for every hearing or other proceeding scheduled by a MDC via ACT during the Judicial Emergency.** Note that in addition to basic ACT hearing protocols, the attached notice provides instructions for downloading and using the Zoom app to appear before the MDC.
5. Where a defendant (or other party) appearing remotely would ordinarily sign a form in person and submit it to the MDC as part of the record (for example, a Waiver of Preliminary Hearing), the Magisterial District Judge shall: (i) colloquy the defendant as per standard practice;

(ii) confirm with the defendant that he or she wishes to take the action in question and sign the form; (iii) sign the form on behalf of the defendant while the defendant is before the MDC; (iv) notify the defendant that the Magisterial District Judge has signed the form on their behalf; and then (v) complete and sign the second attached Remote Signature Certification form. The Magisterial District Judge shall further use the record feature of Zoom to create a contemporaneous record of such action.

6. As per current practice, no bench warrants should be issued, and no outstanding bench warrants executed upon by constables, until approved by this Court. Each MDC shall maintain a log of defendants who fail to appear, fail make payments, or otherwise would be subject to a bench warrant, and such bench warrants shall be issued once the intake restrictions currently in place for correctional facilities have been lifted.
7. All exhibits to be considered by the MDC must be transmitted via e-mail to Court Administration (ctadmin.orders@huntingdoncounty.net), with copy to opposing counsel (or the opposing party, if a *pro se* litigant) no later than noon on the business day immediately preceding the date of the proceeding. Acceptable formats are .pdf, .jpg, .png, and .mp4, with all Microsoft Office documents (Word, Excel, PowerPoint, Outlook, etc.) to be converted to .pdf unless specific formatting or metadata is a relevant part of the exhibit. No other file types or transmittal methods will be accepted without prior approval. Filenames should include the short-form docket number and a brief, objective description of the item (e.g., "xxx-2020 Police Report"). **For now, Court Administration will distribute the exhibits to each MDC, as appropriate. The Court is in the process of establishing direct e-mail addresses for each MDC, and will supplement this Administrative Order with such e-mail addresses once they are available.**

8. This Administrative Order shall be effective immediately, and shall continue in effect until the termination of the Judicial Emergency.

BY THE COURT:


George N. Zanic, President Judge

C: Irene Bizzoso, Esq., Supreme Court Prothonotary
Geoff Moulton, Court Administrator of Pennsylvania
Stacey Witlec
Kay Coons, Prothonotary/Clerk of Courts
Virginia Cooper, Register & Recorder/Clerk of the Orphans' Court
Magisterial District Judge Douglas L. Gummo
Magisterial District Judge Rufus S. Brenneman
Magisterial District Judge Lisa M. Covert
Magisterial District Court Staff
David G. Smith, District Attorney
Fredrick Gutshall, Esq., Director, Office of Court Appointed Counsel
Angela J. Robinson, District Court Administrator
Huntingdon County Bar Association



**REMOTE SIGNATURE
CERTIFICATION**

PURSUANT TO 20th JUDICIAL DISTRICT ADMINISTRATIVE ORDER AO-18-2020
DURING COVID-19 JUDICIAL EMERGENCY

Mag. Dist. No.:	Choose an item.
MDJ Name:	Choose an item.

Commonwealth

v.

Click or tap here to enter text.

Docket No.: Click or tap here to enter text.
 OTN: Click or tap here to enter text.

I, the undersigned Magistrate District Judge, hereby certify that the above-named defendant appeared remotely before me via advanced communication technology, which was Zoom telephone Polycom video, at the date and time specified below, and undertook the following action:

- Waived his/her right to a preliminary hearing
- Was released on bail or on his/her own recognizance, and agreed to terms of release
- Waived his/her right to counsel
- Other: _____

The attached document(s) has/have been signed by me on defendant's behalf to accomplish the above action(s), as defendant was unable to sign them due to having appeared remotely. I further certify that I colloquied defendant in regard to the above action(s) just as I would if he/she had appeared before me in person, that I gave notice to defendant that I signed the attached document(s) on defendant's behalf during the proceeding held at the below date and time (while such defendant could hear, and if on video, see me), and that I gave notice to defendant that such signature has the same force and effect as if defendant signed the document himself/herself.

Hearing Date: Click or tap to enter a date.

Time: Click or tap here to enter text.

Defendant's Attorney: Click or tap here to enter text., Esq.
(if represented)

Magisterial District Judge

YOU ARE HEREBY ORDERED TO APPEAR BEFORE THE MAGISTERIAL DISTRICT COURT REMOTELY VIA VIDEO. FAILURE TO APPEAR REMOTELY IS THE SAME AS FAILURE TO APPEAR IN COURT Choose an item..

IF YOU HAVE TECHNOLOGY ISSUES THAT MAY PREVENT YOU FROM APPEARING REMOTELY, OR HAVE ANY QUESTIONS REGARDING THIS NOTICE, CALL THE COURT AT THE NUMBER SHOWN ABOVE AS SOON AS POSSIBLE.

Click or tap here to enter text.:

Per the enclosed Notice, you are hereby ordered to appear before the Court for a Choose an item. at Click or tap here to enter text. on Click or tap here to enter text., 2020. Due to the COVID-19 emergency, the proceeding will be conducted remotely, via the Zoom meeting app. Zoom can be used from any computer, smartphone, or tablet that is equipped with a camera and microphone and has internet access.

To use Zoom, visit zoom.us and create an account. You must use your real name in setting up your Zoom account. You should also download and install the app on the device you intend to use for your appearance. (You can do this by clicking Resources, and selecting Install Client or App). If you cannot figure out how to do it, just remember this—when you attempt to host or join a meeting, Zoom will ask you whether to open the meeting in the browser or open/install the Zoom app. Instruct it to open in the Zoom app and allow it to install the program. It is crucial that you install the program/app rather than relying on the web browser, as the web browser does not have all the features of the app necessary to function as a virtual courtroom.

The Meeting ID and password are below. Join the meeting at least 5 minutes before the scheduled time. When you join the meeting you will be in a virtual waiting room with all other parties. When your case is called, the Court will bring you into the meeting. When you enter the meeting, your video will automatically be on and your audio muted. You will need to unmute your audio by clicking the microphone icon.

Meeting ID: Click or tap here to enter text. **Password:** Click or tap here to enter text.

You must appear by video, as opposed to voice only. Unless you are appearing with your attorney, you must appear alone. Adult family members who would ordinarily be allowed to be present in the courtroom (i.e., those who are not witnesses) may be in the room with you, but cannot participate unless called on, and must remain quiet and not interrupt. Children should not be present. Any variations from these rules must be approved by the Court prior to the proceeding.

Notice Date: April 28, 2020

Magisterial District Judge