IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

FILED
LYCOMING COUNTY
2021 JAN 27 PM 2:20
THOMAS D. MAPP
PROTHONOTARY &
CLERK OF COURTS

IN RE:	:	CV
	:	**MD-21-00006**
29th JUDICIAL DISTRICT OPERATIONS DURING JUDICIAL EMERGENCY – NINTH ORDER	:	**ADMINISTRATIVE ORDER**

ADMINISTRATIVE ORDER

AND NOW, this 27th day of January 2021, pursuant to Order of the Supreme Court of Pennsylvania dated May 27, 2020, and in light of ongoing public health concerns relating to the COVID-19 pandemic, the President Judge of the 29th Judicial District is hereby exercising the powers granted by the Supreme Court and ordering that **the 29th Judicial District emergency declaration is extended through March 12, 2021, and the following provisions apply through that date (unless a different date is indicated below)** subject to state and federal constitutional requirements and any subsequent order by the Supreme Court:

1. In-person court proceedings and in-person access to proceedings will be limited in order to safeguard the health and safety of court personnel, court users, and members of the public.
2. The following **statewide rules are suspended:**
   a. Rules that restrict, directly or indirectly, the use of advanced communication technologies[1]; and
   b. Rules pertaining to the rule-based right of criminal defendants to a prompt trial.
3. To the extent possible, the **Court of Common Pleas, Family Court, and Magisterial District Courts will decide matters on the papers** and **conduct proceedings utilizing advanced communication technology** in order to limit in-person contact.
4. **With the exception of jury selection and jury and non-jury trials, inmates will not be transported** from the Lycoming County Prison or Pre-release Center for court proceedings; instead, incarcerated defendants will participate by

[1] The Supreme Court of Pennsylvania's "Second Supplemental Order" dated April 1, 2020, defines "advanced communication technology" as including but not limited to systems providing for two-way or simultaneous communication of image and sound; closed-circuit television; telephone and facsimile equipment; and electronic mail.

advanced communication technology unless extenuating circumstances necessitate the presiding judge to authorize transport.

5. It is strongly encouraged that **documents be filed via U.S. mail with the offices of the Lycoming County Prothonotary/Clerk of Courts and Register and Recorder**. If filing via U.S. mail is not possible, documents may be filed via the "filing drop box" located in the lobby of the Lycoming County Courthouse. The document and filing fee (check or money order only) must be in a closed envelope addressed to the appropriate filing office and a self-addressed, prepaid envelope must be enclosed for the return of a receipt for payment of filing fees and time-stamped copy of the document. If proper payment is not included, the document will be returned to the sender unfiled.
6. The offices of the Lycoming County Prothonotary/Clerk of Courts and Register and Recorder will distribute copies of court orders/filings to local attorneys via U.S. mail on a regular basis.
7. It is strongly encouraged that **documents be filed with the magisterial district courts via U.S. mail** to the applicable district court office.
8. It is strongly encouraged that **payments for fines/costs/restitution be made via U.S. mail or online at https://ujsportal.pacourts.us/PayOnline.aspx.**
9. **Safety measures** including but not limited to the following will be implemented with all in-person court proceedings until further notice:
    a. Start times will be staggered and the time between proceedings will be increased in order to minimize person-to-person contact;
    b. **Only necessary participants will be allowed**;
    c. Participants including but not limited to litigants, defendants, counsel, and witnesses will wear a **facemask and practice social distancing** in all areas, including but not limited to hallways, waiting areas, and courtrooms unless the presiding judge authorizes otherwise;
    d. Participants will **utilize the hand sanitizer** located in common areas and courtrooms; and
    e. High-touched surfaces will be cleaned and disinfected as practicable throughout the day, and all surfaces will be thoroughly cleaned and disinfected after hours.
10. For all in-person court proceedings, **no one other than the parties, witnesses, and counsel will be permitted entry to the courts** with the exception of a certified interpreter, an individual providing assistance to a party or witness who has a disability, and a parent or guardian accompanying a party or witness who is a minor. Upon entry to the courthouse, the participants must proceed directly to the assigned courtroom and upon the proceeding's

conclusion, promptly exit the courthouse. NO spouses, significant others, family members and/or friends of any party or witness will be permitted in the courthouse or magisterial district courts, and counsel shall advise parties and witnesses not to bring these individuals to court. These individuals will not be permitted to wait in the lobby area of a magisterial district court.

11. For all evidentiary hearings in the court of common pleas, family court, and magisterial district courts, regardless of whether the proceeding is in-person or via advanced communication technology, **counsel and/or self-represented parties must provide the presiding judge with a list naming all reasonably expected witnesses (name, telephone number, and email address) no later than two (2) full business days prior to the hearing** unless the presiding judge instructs that the list be provided by a sooner date. The list shall be sent via email to the office of the presiding judge at one of the following email addresses:
    a. Nancy L. Butts, President Judge – rkurtz@lyco.org
    b. Marc F. Lovecchio, Judge – rloner@lyco.org
    c. Joy Reynolds McCoy, Judge – jrook@lyco.org
    d. Eric R. Linhardt, Judge – psimpler@lyco.org
    e. Ryan M. Tira, Judge – eferguson@lyco.org
    f. Family Court – ssnyder2@lyco.org
    g. Magisterial District Court 29-1-01 (Frey) – cfrey@lyco.org
    h. Magisterial District Court 29-1-02 (Biichle) – mdj29102@lyco.org
    i. Magisterial District Court 29-3-01 (Lepley) – jlepley@lyco.org
    j. Magisterial District Court 29-3-02 (Whiteman) – mdj29302@lyco.org
    k. Magisterial District Court 29-3-03 (Kemp) – jkemp@lyco.org
    l. Magisterial District Court 29-3-04 (Solomon) – wsolomon@lyco.org
12. Any member of the **media** desiring access to a certain court proceeding may contact the presiding judge's office via telephone or email to arrange for participation in person or via advanced communication technology. Any member of the general public desiring access to a certain court proceeding may contact the presiding judge's office via telephone or email to arrange for participation via advanced communication technology. The telephone numbers for the offices of the common pleas judges, family court, and the magisterial district judges are as follows:
    a. Nancy L. Butts, President Judge – 570-327-2338
    b. Marc F. Lovecchio, Judge – 570-327-2336
    c. Joy Reynolds McCoy, Judge – 570-327-2340
    d. Eric R. Linhardt, Judge – 570-327-2318

e. Ryan M. Tira, Judge – 570-327-2370
f. Family Court – 570-327-2433
g. Magisterial District Court 29-1-01 (Frey) – 570-322-6159
h. Magisterial District Court 29-1-02 (Biichle) – 570-327-2275
i. Magisterial District Court 29-3-01 (Lepley) – 570-398-4880
j. Magisterial District Court 29-3-02 (Whiteman) – 570-326-1714
k. Magisterial District Court 29-3-03 (Kemp) – 570-546-7480
l. Magisterial District Court 29-3-04 (Solomon) – 570-323-9982

13. All employees and court facility visitors over two (2) years of age, including contractors and vendors, will wear a **facemask and practice social distancing** until further notice. Anyone who refuses to wear a facemask will not be permitted entry to and/or will be directed to leave the facility.
14. Until further notice, all individuals entering the courthouse will be **temperature screened** and those with a temperature of 100.4°F or above will be denied entry. Any individual with a scheduled court event who is denied entry shall contact the respective court office via telephone as soon as possible for further instruction (telephone numbers listed in paragraph 12).
15. Anyone who within the past 14 days has tested positive for COVID; is experiencing any COVID-related symptoms such as a fever, chills, cough, shortness of breath, difficulty breathing, sore throat, or headache; or has had close contact (as defined by the CDC) with someone who tested positive or is experiencing COVID-related symptoms **shall NOT enter a court facility**. If the individual is a party, witness, and/or other participant scheduled to report to court, the individual shall not report, but rather shall promptly contact his/her counsel. If the party is self-represented, he/she should contact the presiding judge's office for further instruction (telephone numbers listed in paragraph 12). If a self-represented party is unaware of the assigned and/or presiding judge, he/she should contact the Office of the District Court Administrator at 570-327-2330 to obtain that information.
16. **No one will be permitted entry to the courts without a scheduled appointment or prior authorization with the exception of licensed attorneys and those listed in paragraph 17**. Upon entry, those with a scheduled appointment or prior authorization must proceed directly to the relevant office and upon the conclusion of the appointment, promptly exit the courthouse. Individuals without an appointment will be instructed to leave the premises and contact the respective office via telephone to schedule an appointment. The telephone numbers for the offices located within the courthouse for which appointments are required are as follows:

a. Adult Probation – 570-327-2385
b. Bail Release – 570-327-2377
c. Clerk of Courts – 570-327-2272
d. Court Administration – 570-327-2330
e. District Attorney – 570-327-2456
f. Domestic Relations – 570-327-2395
g. Law Library – 570-327-2289
h. Prothonotary – 570-327-2251
i. Public Defender – 570-327-2367
j. Register and Recorder – 570-327-2263
k. Sheriff – 570-327-2280

17. Individuals will be permitted entry to the courthouse without a scheduled appointment or prior authorization for the following purposes:
    a. Payment of costs/fines;
    b. Payment of child support;
    c. Posting of bail; and
    d. Matters to be conducted at Magisterial District Court 29-1-02 (Biichle), such as but not limited to payment of costs/fines, new filings, and responding to citations and any other court documents.
18. Court events and meetings involving a large number of individuals will be rescheduled or held via advanced communication technology until further notice.
19. Court employees may attend off-site conferences and trainings only at the direction of their supervisor.
20. Individuals on supervision will not report to the Adult or Juvenile Probation Offices unless specifically directed to do so. **Adult and Juvenile Probation** will supervise individuals in the field or via advanced communication technology until further notice. Those individuals under supervision who have questions should contact their assigned probation officer.
21. The **Domestic Relations Office** will take measures to limit the number of individuals reporting to its office until further notice. Those with questions should contact the Domestic Relations Office for additional information.
22. The **Lycoming County Sheriff's Office is authorized to enforce this order** in every court facility including the Lycoming County Courthouse and each Lycoming County Magisterial District Court.
23. Anyone excluded or removed from a court facility for health concerns or the inability to wear a facemask for medical reasons will be provided with information to enable them to initiate, participate in, or complete essential court business during the judicial emergency.

24. The directives in this Order are subject to change as circumstances change and additional information becomes available. Questions or concerns should be directed to the Office of the District Court Administrator at 570-327-2330.

By the Court,

Nancy L. Butts

Honorable Nancy L. Butts, President Judge

cc: Nancy L. Butts, President Judge
Marc F. Lovecchio, Judge
Joy Reynolds McCoy, Judge
Eric R. Linhardt, Judge
Ryan M. Tira, Judge
Adrianne J. Stahl, District Court Administrator
Board of Commissioners
Matthew A. McDermott, Director of Administration
Stephanie Tribble, Director of the Domestic Relations Office
Edward McCoy, Chief Adult Probation Officer
David Goodwin, Chief Juvenile Probation Officer
Tom Heap, Prothonotary/Clerk of Courts
Dave Huffman, Register and Recorder
Ryan C. Gardner, District Attorney
Nicole Spring, Chief Public Defender
Mark Lusk, Sheriff
Jerry Kennedy, Director of Information Services
Brad Shoemaker, Warden of the Lycoming County Prison
Aaron S. Biichle, MDJ
Christian D. Frey, MDJ
Jon E. Kemp, MDJ
Jerry C. Lepley, MDJ
William C. Solomon, MDJ
Gary A. Whiteman, MDJ
Lycoming Law Association
North Penn Legal Services
Wise Options
CYS
MH/ID