IN RE:	:	**IN THE COURT OF COMMON PLEAS**
THE 45th JUDICIAL DISTRICT	:	**OF LACKAWANNA COUNTY**
	:	**2020 MD** 300/32 mm2020

MAURI B. KELLY
LACKAWANNA COUNTY
2020 SEP -1 A 10:16
CLERKS OF JUDICIAL RECORDS CRIMINAL DIVISION

ORDER

NOW, this 1st day of September 2020, in accord with the Order of the Pennsylvania Supreme Court dated May 27, 2020, in which President Judges are authorized to extend local judicial emergency declarations based on local conditions, the following is HEREBY ORDERED AND DECREED:

The judicial emergency in the 45th Judicial District of Pennsylvania, Lackawanna County, is hereby extended through October 31, 2020. All counsel, pro-se litigants, public and those conducting business in the court system of Lackawanna County are to be guided by the following directives.

All in-person access and proceedings to courts and courtrooms may be limited, at the discretion of the judge who is assigned to the matter or courtroom, in order to safeguard the health and safety of court personnel, court users and members of the public.

The continued use of advanced communication technologies for all court proceedings is highly encouraged. All statewide rules that restrict, directly or indirectly, the use of advanced communication technologies remain suspended.

Lackawanna County Central Court shall continue to use advanced communication technologies to conduct its proceedings and hearings throughout the extent of this Order whenever possible. Any request for an in-person proceeding shall be determined by the Magisterial District Judge assigned to the case and coordinated by the Central Court staff.

All Civil matters shall be conducted in a manner at the sole discretion of the judge assigned to the case. This Court's Order of April 13, 2020, docketed as, IN RE: CIVIL LITIGATION MATTERS IN LACKAWANNA COUNTY, 2020 CV 1, remains in full force and effect and should be interpreted in conjunction with this Order as it relates to Motion Court practice.

All Criminal matters shall be conducted in a manner at the sole discretion of the judge assigned to the case. All previous Court Orders filed during the judicial emergency regarding the procedures to be followed for criminal court cases remain in full force and effect.

All Family matters shall be conducted in a manner at the sole discretion of the judge assigned to the case. All previous Court Orders filed during the judicial emergency regarding the procedures to be followed for family court cases remain in full force and effect.

This Court's Order dated March 19, 2020, docketed as, IN RE: TEMPORARY MOTION PRACTICE IN LACKAWANNA COUNTY, 2020 CV 1, is HEREBY MODIFIED as follows:

Effective September 8, 2020, all Civil, Family, Orphans, and Discovery Motions, which would normally be presented in Motion Court prior to the judicial emergency, and have been subject to this Court's Order dated March 19, 2020, are to be submitted electronically as set forth herein:

Civil Motions shall be emailed to CivilMotion@lackawannacounty.org

Family Motions shall be emailed to FamilyMotion@lackawannacounty.org

Orphans' Motions shall be emailed to OrphanMotion@lackawannacounty.org

Discovery Motions shall be emailed to DiscoveryMotion@lackawannacounty.org

The motions must be in PDF format and each submission shall state if the motion is stipulated to, consented or opposed, where applicable. Pursuant to Lackawanna County Motion Practice, all notice requirements remain in effect, and each motion shall include a certificate of service, and list email addresses and phone numbers for all counsel or parties.

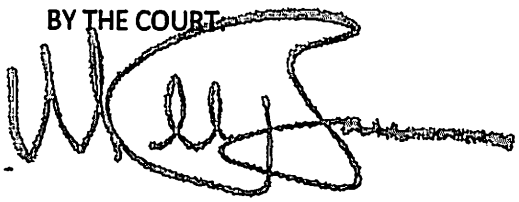
Jury trials shall resume as of Tuesday, September 8, 2020 and shall be scheduled by the Judges of the Court of Common Pleas.

All statewide rules pertaining to the rule-based right of criminal defendants to a prompt trial remain suspended.

This Court's restrictions on serving and executing warrants for felony and misdemeanor cases is hereby lifted immediately.

All Magisterial District Judges are hereby granted authority to limit access to their Magisterial District Court as they deem safe and appropriate during the duration of the judicial emergency. The use of advanced communication technologies to conduct hearings is encouraged whenever possible. All necessary safeguards shall be implemented when public access is granted to ensure the health and safety of court personnel, court users and members of the public.

BY THE COURT:



_____, P.J.
Honorable Michael J. Barrasse
President Judge