

## Pennsylvania Courts Closed Through April 30, 2020: Litigating in the Current Statewide Emergency

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*Litigation Alert*

4.2.20

The Commonwealth of Pennsylvania continues to take the necessary precautions to mitigate the spread of COVID-19. In that vein, the Supreme Court of Pennsylvania has extended the emergency measures initially put in place at the outset of the pandemic and provided further instruction to litigants on how to proceed in these uncertain and challenging times.

On April 1, 2020, in its Second Supplemental Order regarding the General Statewide Judicial Emergency, the Court extended its emergency declaration and closed all Pennsylvania courts through April 30, 2020. That closure remains subject to the General and Specific Directives and Exceptions in the Court's prior March 18, 2020 Order. The Court's order addresses the effects of the closure on various procedural aspects of practice. Specifically:

- All time calculations and time deadlines are suspended through April 30, 2020;
- Any legal paper or pleadings which are required to be filed between March 19, 2020 and April 30, 2020 shall be deemed timely if filed by May 1, 2020 (or on a later date as permitted by the applicable appellate or local court);
- The list of essential functions of courts continues to include acceptance of a *praecipe* for a writ of summons for purposes of tolling a statute of limitations;
- The emergency filing of children's fast track appeals (upon a certification that filing in the court of original jurisdiction is impractical due to the closure of court facilities) remains in effect;
- In-person hearings pertaining to essential functions shall be held in courtrooms designated by the individual Court of Common Pleas to minimize person-to-person contact;
- Any in-person pretrial conference, case management conference, status conference, diversionary program, discovery motions practice, motions practice or other hearing remain postponed, unless a President Judge directs otherwise upon sufficient notice;
- Non-essential matters are expected to move forward within the sound discretion of President Judges, so long as judicial personnel, attorneys and other individuals can and do comply with standing orders and guidance issued by the executive branch;
- Jurors shall not report for jury duty through April 30, 2020;
- All Magisterial District Courts remain closed to the public except for essential functions; and
- No evictions, ejections or other displacements from a residence based on failure to make a monetary payment are permitted through April 30, 2020.

The Order also continues to authorize and encourage the use of advanced communication technology, such as remote depositions, to conduct court proceedings. The attorneys at White and Williams have been utilizing advanced technological means wherever possible to conduct virtual depositions, court hearings and mediations in order to advance cases as efficiently and safely as possible. The Court has also acknowledged that attorneys are permitted to access their offices to effectuate essential functions while maintaining social distancing.

Notably, the Court has allowed for the possibility that emergency measures may need to continue beyond April 30, 2020. Its Order expressly authorizes President Judges to declare judicial emergencies in their judicial districts through May 31, 2020 if deemed appropriate based on local conditions. This remains to be seen and inevitably additional Orders will issue.

If you have any questions about what these closures mean or need guidance on any matter affected by these emergency measures, please contact David R. Zaslow (zaslowd@whiteandwilliams.com; 215.864.6844), Mark Paladino (paladinom@whiteandwilliams.com; 215.864.6817 or another member of the Litigation Group.

As we continue to monitor the novel coronavirus (COVID-19), White and Williams lawyers are working collaboratively to stay current on developments and counsel clients through the various legal and business issues that may arise across a variety of sectors. Read all of the updates [here](#).

This correspondence should not be construed as legal advice or legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only and you are urged to consult a lawyer concerning your own situation and legal questions.