



JUDGE'S CHAMBERS
COURT OF COMMON PLEAS OF BEAVER COUNTY
THIRTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA
BEAVER, PENNSYLVANIA 15009

RICHARD MANCINI
PRESIDENT JUDGE

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Memorandum

To: Beaver County Bar Association

From: Richard Mancini, President Judge *RM*

Date: April 7, 2020

Re: Closure of Courts to the Public

In conjunction with the Governor's "Stay at Home" Order the Pennsylvania Supreme Court extended its Order closing the courts to the public through April 30, 2020. However certain essential functions must take place. This memorandum is intended to provide guidance as to how our court will function during this time and to clarify what types of hearings will be held and the manner in which they will proceed.

(1) Filing Deadlines

Filing deadlines are extended to May 1, 2020. However by supplemental order the Pennsylvania Supreme Court clarified that "essential functions" include commencement of a civil action, by praecipe for a writ of summons, for purposes of tolling a statute of limitation. Rules regarding service of process are suspended. There are drop boxes inside the main entrance of the courthouse for the Prothonotary, Recorder of Deeds, Register of Wills, Clerk of Courts, and Driver's License Suspension Appeals. Please do not attempt to enter the building and go to the filing office; use the drop box. Mail and electronic filing is also available.

(2) Preliminary Hearings

All Preliminary Hearings are continued except for incarcerated defendants. The defendant will participate via videoconference from the Beaver County Jail. No inmates are being transferred from the jail.

(3) Criminal Judicial Pretrial Conferences

April's Criminal Judicial Pretrial Conferences will be conducted via email and telephone. Defense Counsel and Assistant District Attorneys should discuss their cases and email the assigned Judge a brief summary of the status of the case.

Counsel should be available via telephone during the assigned date / time of the Judicial Pretrial Conference, if so advised by the assigned Judge.

The 1st Judicial Pretrial Conferences scheduled for Monday April 20, 2020 are cancelled.

(4) Criminal Pleas

The Court Administrator will schedule a plea and sentence hearing only if the result of which is the defendant being released from jail.

(5) Summary Appeals

Summary Appeal Hearings scheduled for April 16, 2020 are cancelled.

(6) Arraignments and Status Conferences

Arraignments and Status Conferences scheduled for April 22, 2020 are cancelled.

(7) Rule 600 Time Calculations

Rule 600 has been suspended and the time period of the statewide judicial emergency is excluded from the time calculation under Rule 600. Constitutional speedy trial rights remain, with the current circumstances being relevant to the constitutional analysis.

(8) Omnibus Pretrial Hearings

Omnibus Pretrial Hearings scheduled for April 8, 2020 are continued to June 2, 2020 and the trials in the subject cases are continued to the July 2020 Trial Term.

(9) May Trial Term

No jurors will be summonsed for the May 2020 Trial Term. However, during the term (May 5 through May 15, 2020) the Court Administrator will provide daily "Hot Lists" and Counsel will be required to appear in front of the assigned Judge.

(10) Emergency Custody and Emergency Divorce requesting equitable relief

Judge DeCostro may accept emailed motions and telephone testimony. Contact her chambers for additional information.

Despite the pandemic, all existing custody orders shall be followed and custody schedules shall be followed consistent with the 2019-2020 school district calendar. Custody seminars for April 15 and April 29, 2020 are cancelled.

(11) Emergency Guardianship

Judge Fouse may accept telephone testimony. Contact his chambers for additional information.

- (12) Emergency Civil motions requesting equitable relief
Please contact Judge Ross's chambers for additional information.
- (13) Juvenile Hearings
Please contact Judge Shahan's chambers for additional information.
- (14) Protection From Abuse Intakes
PFA Petitioners will need to appear at the PFA office, on the second floor of the Courthouse before 9:30 a.m. The Petitioner can speak with court staff via videoconference which was installed adjacent to the PFA office. In-court appearance will not be required.
- (15) Protection From Abuse Final Hearings
The Court has established a revised procedure regarding Final PFA Hearings. When possible and with the assistance of Counsel, the Court will conduct hearings by telephone testimony or other electronic communication methods. For cases that proceed with the appearances of the parties, separate rooms will be used to maintain social distancing.
- (16) Civil Case Management Conferences, Pretrial Conferences, and Arguments
Judges Ross, Shahan, and Tocci are presiding over Civil Case Management Conferences, Pretrial Conferences, and Argument Court **via telephone**, as scheduled on the Court Calendar. Please do not attempt to enter the Courthouse for these matters.
- (17) Writs of Possession
Writs of Possession are being accepted by the Prothonotary but cannot be acted upon until May 1, 2020.
- (18) Arbitration Hearings
Arbitration Hearings scheduled for April 20, 2020 are cancelled.

This is a fluid situation and any of the above could change.

Counsel should review the relevant Pennsylvania Supreme Court Orders and this Court's Administrative Orders. They are posted on the Beaver County website.

Entry to the Courthouse is limited to those who have a justifiable reason to enter. The Sheriff is enforcing these restrictions.

Stay strong, stay healthy, and may God bless you and yours.