

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

IN RE: 32<sup>nd</sup> JUDICIAL DISTRICT : PA SUPREME COURT NO. 30 MM 2020  
: :  
*Family Section Cancellations and* :  
*Revised Scheduling Protocols* :  
*Extended*<sup>1</sup> : DELAWARE COUNTY NO. 5120-17

**SEVENTH EMERGENCY ORDER EXTENSION – FAMILY SECTION**

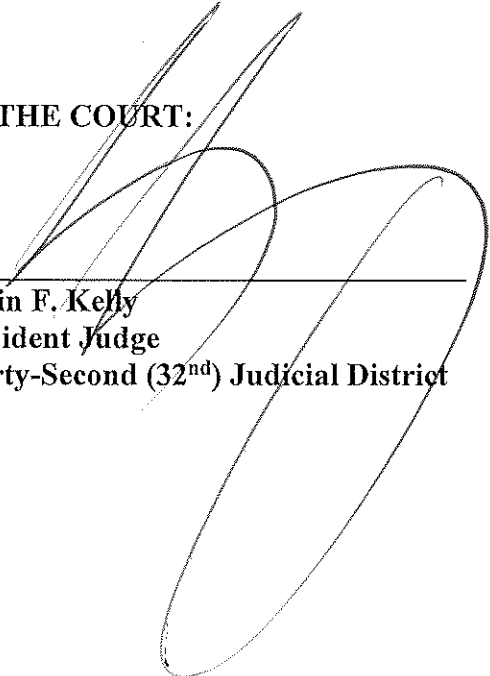
AND NOW, this 21<sup>st</sup> day of April, 2021, this court having previously declared in the thirty-second (32<sup>nd</sup>) judicial district (Delaware County) a judicial emergency and more recently once again extended that emergent declaration pursuant to such an order of the Pennsylvania Supreme Court sanctioning the same,<sup>2</sup> as well as Pa.R.J.A. No. 1952(B)(1)(2), and this court thus still having those authorities detailed under Pa.R.J.A. No. 1952(B)(2)(a-s), it is hereby **ORDERED** and **DECREED** in consultation with the liaison judge that the attached family section cancellations and/or revised scheduling protocols **SHALL** become **EFFECTIVE IMMEDIATELY** and continue through and including **OCTOBER 1, 2021**.<sup>3</sup>

That directed above as subsequent material circumstances warrant and/or it otherwise believes appropriate may be revisited by this court and modified to meet the evolving concerns presented by the ongoing COVID-19 public health crisis.<sup>4</sup>

To the extent possible and practical under the salient circumstances, notice of this order has been and/or will promptly be posted about the Delaware County courthouse, including but not limited to the complex's entry doors, the Delaware County Office of Judicial Support, the Court Administrator's Office of Delaware County, the Criminal Court Administrator's Office, the court's website, all magisterial district court facilities within Delaware County, the Delaware

County Bar Association's website, and submitted to the Administrative Office of Pennsylvania Courts ("AOPC") for posting on the Commonwealth's Unified Judicial System's website per Pa.R.J.A. No. 1952(C)(5).<sup>5</sup>

**BY THE COURT:**



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**Kevin F. Kelly**  
**President Judge**  
**Thirty-Second (32<sup>nd</sup>) Judicial District**

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<sup>1</sup> See Emergency Order – Family Section dated March 20, 2020; Emergency Order Extension – Family Section dated April 9, 2020; Second Emergency Order Extension – Family Section dated April 29, 2020; Third Emergency Order Extension dated May 27, 2020; Third Emergency Order Extension – Family Section, *as Amended*, dated June 5, 2020; Third Emergency Order Extension, *as Amended*, dated July 2, 2020; Fourth Emergency Order Extension – Family Section dated July 24, 2020; Fourth Emergency Extension – Family Section, *as Amended*, dated August 19, 2020; Fifth Emergency Extension – Family Section dated October 27, 2020; and Sixth Emergency Extension – Family Section dated January 26, 2021.

<sup>2</sup> See Orders dated March 16, 2020, pp. 1-2; March 18, 2020, pp. 1-3; April 1, 2020, pp. 1-3; April 28, 2020, pp. 2-5; and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket; Emergency Declaration dated March 17, 2020; Emergency Declaration Extension dated April 2, 2020; Second Emergency Declaration Extension dated April 28, 2020; Third Emergency Declaration Extension dated May 27, 2020; Fourth Emergency Declaration Extension dated July 8, 2020; Fifth Emergency Declaration Extension dated October 20, 2020; Sixth Emergency Declaration Extension dated January 22, 2021; and Seventh Emergency Declaration Extension dated April 21, 2021. See also Pa.R.J.A. No. 1952(B)(1)(2).

<sup>3</sup> See *Philadelphia Inquirer*, May 13, 2020, Section B, p. 1 (“Infections greater at Delco jail - Jail: Nearly half of inmates tested had virus; infection rate 50 times that of the population at large.”); May 16, 2020, Section A, pp. 1, 4 (“Over that past 14 days, Delaware County has on average 275 cases for each 100,000 residents ... significantly higher than the suburban counties surrounding it.”); May 19, 2020, Section A, pp. 1, 6 (“Virus Rate Remains Stubbornly High in Delaware County”); May 22, 2020, Section A, pp. 1, 9 (“Delaware County trails Philadelphia and the other counties in flattening the curve of new cases.”); July 2, 2020, Section A, pp. 1, 6 (“... Pa. reports biggest one-day increase since June 5... . Cases ... June 1 ... July 1 ... Change ... +8%.”); July 8, 2020, Section A, pp. 1, 6 (Delaware County infection rate increases from 23 to 32 per 100,000 persons.); July 16, 2020, Section A, pp. 1, 6 (“New Pa. limits as cases rising ... After averaging about 400 new cases a day less than a month ago, this state is now averaging close to 800. Case counts have increased in 43 counties and the percentage of people testing positive has increased in 28 counties ... .”); July 20, 2020, Section A, pp. 1, 9 (Three (3) of the five (5) municipalities having the greatest number of Coronavirus cases per 10,000 residents within southeastern Pennsylvania are Delaware County communities.); July 22, 2020, Section A, p. 1 (“Pennsylvania is reporting an average of 871 cases per day, an increase of 120% from June 19, following a two-month decline.”); July 23, 2020, Section A, pp. 1, 9 (Delaware County's seven (7) day average of newly reported cases has increased 220% since June 27, 2020.); July 29, 2020, Section A, pp. 1, 6 (Since June 27, 2020, the daily average of new cases has increased 379% growing from 16 to 75.); July 30, 2020, Section A, p. 6 (“Delco count rising fastest in area[.] ... The county has gone from an average of 15.7 new cases a day on June 27 to 78.3 new cases a day on Tuesday - an increase of 398% ... . ‘We are concerned with what we have seen from Delaware County,’ ... Nate Wardell, a spokesperson from the state Health Department, said... .”); August 14, 2020, Section A, p. 1 (“... Pennsylvania Health Secretary ... cited ... Delaware Count[y] as [an] area[] in the state with high community spread of the coronavirus. Delaware County’s per capita rate of new cases now exceeds that of Philadelphia, Allegheny County, and the state as a whole.”); August 20, 2020, Section A, pp. 1, 3 (“... Delaware County currently has the highest [COVID-19] rate [per 100,000 residents] in the region. ...”); October 7, 2020, Section A, 1, 8 (“Pennsylvania ... [is] entering October with coronavirus case levels at the highest they have been since the encl of spring Since the end of August, the average number of new coronavirus cases reported each day nearly doubled in Pennsylvania”); October 8, 2020, Section A, p. 9 (“... [S]ince the end of August the average number of new coronavirus cases reported each day nearly doubled in Pennsylvania Compared with a month ago, average new cases a day have jumped by more than 400 in Pennsylvania, surpassing 1,000 per day last week ... .”); October 11, 2020, Section B, p. 2 (“Pa. virus cases hit 6-month high ... Pennsylvania reported its highest number of confirmed coronavirus infections in six months ... .”); October 13, 2020, Section B, pp. 1, 8 (“The average number of new coronavirus infections being diagnosed in Pennsylvania ... showed no signs of slowing, even after warnings last week from officials advising the public to double down on safety practices. ... The Commonwealth was averaging 1,300 new cases a day over the last seven days ... . Delaware [C]ount[y] [has] seen [a] rise[] in recent days. Using 14-day totals of new cases per 100,000 people, ... Delaware County went from 94 to 125”); October 16, 2020, Section A, p. 8 (“Pennsylvania reported 1,598 new coronavirus cases, the highest one-day count since April 24 and the 10th, day in a row new cases have

exceeded 1,000. The commonwealth is now averaging 1,370 new cases a day, the highest daily average since April 14, right after the pandemic's first peak.”); October 23, 2020, Section A, p. 8 (“... Delaware ... Count[y] ... [has] more than 2,000 per 100,000 residents, well above the threshold the state deems safe.”); October 29, 2020, Section A, pp. 1, 3 (“Pennsylvania’s fall coronavirus surge has surpassed the state’s April peak in new cases, the rising metrics continued sounding alarm bells on a day when Pennsylvania’s average daily number of new cases rose above 2,000 for the first time during the pandemic, ... .”); November 5, 2020, Section B, pp. 1, 9 (“The coronavirus pandemic continued to escalate across the region daily increases are now even higher than in the springtime peak. ... [A]n infectious disease specialist ... said in an interview that the trends are dangerous, an expert’s fear worse is to come.”); November 6, 2020, Section B, pp. 1, 4 (“As new coronavirus cases in Pennsylvania ... soar past levels that prompted shut downs in the spring the Pennsylvania Department of Health on [November 5, 2020] reported an unrepresented daily increase of ... COVID-19”); November 8, 2020, Section B, pp. 1, 4 (“Over the last four weeks, rates of new known coronavirus cases have at least doubled in ... every county in the Philadelphia area.”); November 10, 2020, Section B, pp. 1, 3 (“At the pandemic’s eight month mark, Pennsylvania is in the midst of a streak of about 3,000 cases a day in the Philadelphia region, Delaware County has the highest positivity rate of 7.6%”); November 12, 2020, Section B, pp. 1, (“A second pandemic wave is ... in the region nearly nine months after the forced shutdowns ... . Hospitals in Delaware County in recent days became so inundated with COVID-19 that they are turning away ambulances ... .”); November 13, 2020, Section A, pp. 1, 6 (“All five of Delaware County’s hospitals were at capacity earlier this week and had to divert patients ... . Pennsylvania reported that it had received 5,488 new positive-test results and for the first time in the pandemic it averaged more than 4,000 cases a day in the seven-day period ... . In Delaware County, cases are close to where they were at the spring pandemic peak ... .”); November 16, 2020, Section B, pp. 1, 5 (“Pennsylvania’s daily average has increased every day since mid-October, but in November the number has soared.”); November 17, 2020, Section A, pp. 1, (“With nearly 10,000 new infections reported in Pennsylvania between Sunday and Monday ... leaders across the region urged renewed intensity in the face of pandemic fatigue... . The statewide positivity rate has increased to 9.6% from 6.8%”); November 18, 2020, Section A, pp. 1, 6 (“Pennsylvania’s top health official issued a broader mask mandate, a bid to force people to wear face coverings as coronavirus case numbers continue to soar over the last four weeks rates of new known coronavirus cases have at least tripled in every county in the Philadelphia area.”); November 20, 2020, Section A, pp. 1, 10 (“... [T]he coronavirus [is] spreading faster than ever, Pennsylvania reported more than 7,000 new cases Thursday, breaking its record for the third straight day. In just two weeks, Pennsylvania has gone from an average of 2,500 new cases a day to 5,700 cases a day ... . ‘The county has now exceeded the highest number of COVID-19 outbreaks since the height of the pandemic.’ ”); December 4, 2020, Section A, p. 1 (“Pennsylvania shattered its record for coronavirus cases logged in a single day by a staggering amount ... , reporting more than 11,000 new infections ... . All but eight of Delaware County’s ICU beds were filled, state data showed.”); December 10, 2020, Section A, pp. 1, 6 (“Pennsylvania officials have been considering a new statewide ban on indoor dining and mandatory closures of gyms and casinos, their most stringent steps this fall to combat soaring coronavirus cases and hospitalizations, ... . Pennsylvania’s seven-day average of new cases per date neared 10,000 on Wednesday ... .”); December 11, 2020, Section A, pp. 1, 6 (“Until Jan. 4, Pennsylvania will shut down indoor dining, suspend school sports and extracurriculars, close all casinos, gyms, and other entertainment venues, lower retail occupancy limits, and sharply reduce the number of people allowed to gather in one place ... . The new restrictions come at a point when the state’s daily case numbers have sky rocketed with more than 10,000 people newly infected each day for five out of the last eight days, ... .”); December 16, 2020, Section A, pp. 1, 14 (“... Pennsylvania reported its highest single-day death toll from COVID-19 since May and said nearly 6,300 virus patients were hospitalized across the commonwealth, twice the total from the same point last month. .... Pennsylvania surpassed 500,000 confirmed cases of the virus, reporting 9,556 new cases.”); January 9, 2021, Section A, pp. 1, 5 (“For the first time since mid-December, Pennsylvania on Friday reported more than 10,000 newly confirmed positive cases ... . Over 700,000 Pennsylvanians have tested positive for the virus, ... .); January 15, 2021, Section A, pp. 1, 2 (“January is on pace to become Pennsylvania’s deadliest month of the pandemic, ... . It is a continuation of a surge that has seen more than 8,300 Pennsylvanians reported dead since Dec. 1, ... . With the case surge not over yet, the death toll will keep growing; ... . Philadelphia, its Pennsylvania’s suburbs, ... have all experienced surges in the death toll since the end of November, ... .”); March 7, 2021, Section B, p. 1 (“... [T]he suburban Philadelphia counties where State Health Department data shows – without explanation

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from Harrisburg – an alarming undersupply of vaccine doses to Bucks, Chester, Delaware, and Montgomery Counties ... .”); March 8, 2021, Section A, pp. 1, 4 (“An Inquirer data analysis last week indicated the suburban Philadelphia counties were receiving fewer doses per capita than other counties ... .”); March 9, 2021, Section A, pp. 1, 6 (“The fight over vacating Philadelphia’s suburban counties intensified Monday, as Southeastern Pennsylvania politicians demanded that the state send more vaccine doses and the State Health Department indicated it had no plans to boost the region’s share. ... In a rare joint statement Monday, the commissioners of Bucks, Montgomery, Chester, and Delaware Counties called on [the State Health Department] to act and said that the state had not been transparent about how many total doses have gone to the counties or whether it would correct any shortfalls. ... In addition, Bucks and Delaware Counties both disputed the state’s reasoning for why their supplies were lower at points in the rollout. ... In Delaware County, which has received the least amount of vaccine per capita of the four counties, representatives were particularly vexed.”); March 10, 2021, Section B, pp. 1, 2 (“Concerned that the region has received a disproportionately low share of doses compared with other counties, the commissioners of all four collar counties also called this week on the state to provide detail about how it monitors vaccine providers ... . Lawmakers and county officials sharply criticized the state Department of Health after it acknowledged the region had a vaccine undersupply but indicated that it would not take steps to fix it.”); March 11, 2021, Section B, pp. 1, 6 (“In Delaware County where nearly 17% of the population is 65 and older, ... vice chair of [the county] council said most the frustration she hears is from seniors. ‘They are our most vulnerable population, ... and they are having the most difficulty getting the vaccine.’ ”); March 11, Section B, pp. 1, 3 (“A Department of Health spokesperson said Monday that the state did not dispute an Inquirer data analysis or deny an undersupply. ... Delaware County – which had the lowest per capita dose delivery in the Inquirer analysis – ... .”); March 13, 2021, Section A, p. 1 (“And officials in Delaware, Montgomery, Bucks, and Chester Counties said they had not yet heard how many doses would come to them ... .”); March 27, 2021, Section A, pp. 1, 5 (“The Department of Health reported 4,927 new cases, and is now averaging 3,780 infections a day over the last seven a day [*sic*], according to an Inquirer analysis. That’s an increase of 53% over the last two weeks.”); March 30, 2021, Section A, pp. 1, 6 (“A particularly ominous sign for the Philadelphia area: more than a third of samples taken over the last month from 80 COVID-19 patients had mutations known to make the virus more transmissible or resistant to current vaccines, or both ... . ‘If you look at the state of Pennsylvania, cases in the Southeast are up sharply in the last few weeks. ... The more infections, the more spread, the more opportunity for the virus to mutate.’ ”); March 31, 2021, Section A, p. 7 (“But officials said middle and high school students should still be 6 feet apart when community transmission of the coronavirus is substantial – a category that currently includes Philadelphia and the collar counties.”); April 1, 2021, Section A, p. 4 (“Coronavirus are continuing to rise ... . In Pennsylvania, COVID-19 cases continue to surge as health experts warn of a fourth wave of new infections. ... [T]he state was averaging over 4,000 infections over the last seven days – an increase of 57% over the last two weeks ... .”); April 7, 2021, Section A, pp. 1, 6 (“Pennsylvania ... [is] seeing some of the nation’s steepest increases in cases ... .”); and April 14, 2021, Section A, p. 8 (“Pennsylvania reported 6,638 new COVID-19 cases, the most in a single day’s reporting since the end of January. In the last seven days the daily average was 4,630 newly reported positive tests, the highest rate of new infections in more than two months.”).

*The appended family section protocol differs materially from the immediate past such directives (January 26, 2021) by including and adopting for the months of May, June, July, and August 2021, interim, sectional calendars. See Attached Family Section Emergency Cancellations and Revised Scheduling Protocols April 21, 2021.*

Beyond the *temporary*, monthly calendars, those additional changes, adopted by this order for ease of reference have throughout the appended protocol been underlined. See Family Section Emergency Cancellations and Revised Scheduling Protocols dated April 21, 2021.

<sup>4</sup> See Endnote No. three (3).

<sup>5</sup> See Orders dated March 16, 2020, p. 2; April 1, 2020, pp. 2-3; April 28, 2020, p. 3; and May 27, 2020 p. 2, Fn. 1 - Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket.

# DELAWARE COUNTY COURT OF COMMON PLEAS

## ***FAMILY SECTION EMERGENCY CANCELATIONS AS WELL AS REVISED SCHEDULING AND OPERATIONAL PROTOCOLS, EXTENDED AND AMENDED***

### **PURPOSE**

Recognizing that the Supreme Court of Pennsylvania has directed, *inter alia*, that the Commonwealth's judicial districts while remaining focused on the discharge of critical court functions must now additionally make constant best efforts in all other type matters to accomplish a more full-scale processing of cases, subject to the constraining safety considerations brought about by the ongoing COVID-19 public health crisis,<sup>1</sup> this court in consultation with core systematic stakeholders has developed and implemented the below described plan as the continuation of what is yet anticipated to be numerous purposefully measured, operational increments realizing the balance between the upmost concern of the judiciary for the safety of the court staff, all counsel, every litigant, the various witnesses of the parties, and the public generally,<sup>2</sup> while also being mindful of the necessity to once more provide with regularity the timely administration of justice.

That directed below as subsequent material circumstances warrant and/or it otherwise believes appropriate may be revisited by this court without advanced notice and modified to meet the evolving concerns presented by the continuing coronavirus public health crisis.

### **GENERAL SAFETY and OPERATIONAL DIRECTIVES**

**ALL** civil and criminal jury trials remain **SUSPENDED** and relatedly jury duty also continues to be **POSTPONED**, until further notice.<sup>3</sup> The District Court Administrator will in ongoing consultation with other salient court personnel (E.g. court electronic recording and/or jury assembly), as well as material county officials (E.g. facilities management and/or IT), continue working to finalize a plan for jury trial resumption premised on the current anticipation that at least criminal jury trials will in the near future resume.

For **ALL** *in-person* proceedings of any type and regardless of whether the listing also has some advanced communication technology ("ACT") participants, **NO ONE** other than the parties and/or witnesses, as well as counsel, will be permitted in the courtroom-hearing room and/or about the interior of the Delaware County courthouse-government center generally, absent a specifically reasoned basis to the contrary, including but not limited to a needed, Administrative Office of Pennsylvania Courts certified interpreter and/or a family member and/or some type of health aid assisting an infirm party and/or witness in navigating his or her way about the courthouse complex, as well as a parent and/or guardian accompanying a juvenile witness/complainant and/or party less than twenty-one (21) years old.

Otherwise, **NO** spouses, significant others, family members and/or friends of any party and/or witness will be permitted access to the Delaware County courthouse-government center until further notice, unless he or she is as well a party to the proceeding and/or a witness.

The Delaware County courts (32<sup>nd</sup> judicial district) for purposes of ACT on the recommendation of the county's IT department utilize Microsoft Teams and/or because of its existing hardware configurations already throughout the systematic structures, including the George W. Hill Correctional Facility, Polycom. The use of other ACT's (E.g. Zoom) may at the discretion of the presiding judge be permitted.

Victims-complainants having a right to be present in court for listings of their criminal case, juvenile delinquency matters and/or protection from abuse actions may also attend all such schedulings. The complainant-victim may be accompanied by one (1) person when so appearing *in-person* and as the victim-complainant believes best that individual may be a family member, friend, and/or victim advocacy organization representative. The Delaware County District Attorney's Office must in advance timely notify the Delaware County Park Police via email at [ParkPoliceDailyCourtList@co.delaware.pa.us](mailto:ParkPoliceDailyCourtList@co.delaware.pa.us) of any victim-complainant intending to attend *in-person* a criminal, juvenile delinquency and/or PFA – indirect contempt listing, as well as who, if anyone, will then be escorting that specific victim-complainant. The complainant-victim and the person, if any, accompanying her or him on entering the courthouse are to proceed directly to the assigned courtroom. Likewise, the victim-complainant and any individual escorting him or her **MUST** immediately on the proceeding's conclusion directly leave and exit the courthouse-government center complex.

Subject to the direction of the presiding judge otherwise, **ALL** witnesses on arriving in the vicinity of the courthouse **MUST** remain waiting in his or her vehicle until contacted by the lawyer or self-represented party calling the person that he or she is now for purposes of testifying to enter the courthouse. On entering the courthouse the witness is to go directly to the assigned courtroom. Every witness immediately on the conclusion of his or her testimonial appearance **MUST** directly leave and exit the courthouse, unless the presiding judge directs to the contrary.

Credentialed members of the media will be allowed to attend any and/or all proceedings and are to arrange in advance for the same through District Court Administrator Gerald C. Montella, Esquire (610 891-4557). (Should the level of press attention in a given matter be of such a nature that permitting all requesting media members *in-person* access be contrary to then applicable public health guidelines (E.g. social distancing in the courtroom because of the appreciable numbers present not possible), the District Court Administrator in collaboration the interested press will create a pool of representative media members to attend *in-person* the court proceedings.)

Unless the presiding judge and/or another judicial officer directs to the contrary, credentialed press members will still be able to listen to audio recordings of court proceedings at the Office of Court Electronic Recording as arranged through its Director Richard J. Coogan (610 891-4477). No more than one (1) media representative may at a given moment be in the Court Electronic Recording Office.

Should a member of the general public want access to a certain court proceeding he or she was currently not permitted to attend *in-person*, arrangements may be made immediately subsequent to any such listing's conclusion for a person to review an audio recording of a particular hearing, unless the presiding judge and/or another judicial authority via his or her order directs otherwise, by arranging through its director, Richard J. Coogan (610 891-4477), to listen at the Court Electronic Recording Office to the same.

**ALL** interested persons should plan to arrive at the courthouse approximately thirty (30) minutes prior to the listing's schedule start to allow sufficient time to work through both the below referenced security and health screening processes. Take note that individuals arriving appreciably earlier than their set time may then be refused entry by the park police to prevent unnecessary loitering about the courthouse and/or courtrooms-hearing rooms.

**ALL** individuals entering the Delaware County courthouse-government complex **MUST** first undergo a COVID-19 health assessment, including but not limited to the taking of temperatures, by the Delaware County Park Police.<sup>4</sup> Based on the outcome of this coronavirus screening assessment, the involved Park Police Officer at his or her discretion may prohibit a person from entering the courthouse-county government complex. Park police personnel will promptly make the presiding judge aware as applicable should an individual based on the health screening not be permitted entry, including but not limited to lawyers, parties and/or witnesses. If a litigant and/or witness refused entry on health considerations cannot identify the judge before whom he or she is to then appear, contact is to be promptly made for such assistance with the Court Administrator's Office (Ext. 4550).

As it relates **SOLELY** to criminal defendants, those declined entry because of the health assessment's results will be asked to remain outside the building and/or another location the Park Officer may direct pending the assigned judge's chambers providing a date for that accused to return and the defendant executing as well as being provided a copy of such a written criminal notice form.

In addition to having successfully undergone the COVID-19 health screening, **ALL** persons entering the courthouse-government center **MUST** otherwise be in **FULL COMPLIANCE** with **ANY** federal and/or state directives then in place to stem the coronavirus spread, including but not limited to the proper wearing of a recommended mask(s).

**ANY** litigant, lawyer, witness and/or other interested party experiencing a dry, persistent cough, shortness of breath-difficulty breathing, chills, muscle pain, sore throat, headache, a loss of smell or taste without congestion, and/or a fever greater than 99.5 Fahrenheit if taken with a temporal thermometer **MUST NOT** report as scheduled, but rather **PROMPTLY** notify the assigned or presiding judge's chambers that he or she is suffering from such symptoms. (If unaware of the assigned and/or presiding judge, an interested party should instead contact promptly the Court Administrator's Office – 610 891-4550.)



ANY litigant, lawyer, witness and/or other interested party having been past tested and/or diagnosed by a physician positive for COVID-19 **MUST NOT** report as scheduled, but instead **PROMPTLY** notify **PRIOR TO THE LISTED DATE** the Court Administrative Office of the same (610 891-4550) and follow the directions that office then provides.

ANY litigant, attorney, witness and/or other interested party wanting to appear and participate via some type of ACT for documented medical cause (*E.g.* stemming from an underlining medical condition, one is more vulnerable to the impact of COVID-19 and has been directed by a treating physician to avoid public settings) in lieu of *in-person* **MUST** notify the assigned and/or presiding judge ***no less than three (3) business days prior to the scheduled date*** to allow for those necessary arrangements to be made by the Legal Audio Visual Department, if reasonably possible. These applications will for now be otherwise allowed subject to applicable constitutional limitations, if any,<sup>5</sup> or the listing continued to a future date should constitutional concerns dictate such and/or should the involved judge believe in the exercise of his or her discretion that the nature of the proceeding and/or individual requesting remote participation would otherwise be contrary to material law and/or occasion a party to suffer actual prejudice. (*E.g.* The inability of the factfinder to visually observe a witness only available to testify aurally by telephone.) A party represented by a lawyer **MUST** first direct any such concerns about participating via some type of ACT to his or her counsel, and witnesses similarly in the first instance are to initially bring these issues to the attention of the attorney subpoenaing his or her appearance and subsequently the court only if the witness and involved counsel cannot make such mutually agreeable arrangements as the presiding and/or assigned judge may approve, and subject to that which the Legal Audio Visual Department can timely and reasonably arrange. (Requests to appear for some type of DRO hearing (*E.g.* judicial appeal, contempt and/or hearing officer listing) via ACT are to be directed timely to the domestic relations office through an email to [delawarecourtliaison@pases.com](mailto:delawarecourtliaison@pases.com) and as is more fully described below.)

In the event a self-represented litigant, lawyer, and/or other interested party does not know the assigned and/or presiding judge to whom a request to appear and participate via some manner of ACT should be submitted, such inquires consistent with the above three (3) business day advanced notification are to be directed to the Court Administrator's Office (610 891-4550). (Questions about the scheduling (*E.g.* date, time and/or location) of any type DRO listing (*E.g.* contempt, judicial appeal, hearing officer listing) are as is more further detailed below to be timely directed to the domestic relations office via an email to [delawarecourtliaison@pases.com](mailto:delawarecourtliaison@pases.com).)

**ALL** *in-person* listing days **MUST** be held in a manner to reasonably restrict COVID-19 exposure and undertaken wholly consistent with the Centers for Disease Control and Prevention coronavirus guidelines, as well as any other such federal, state and/or county public health directives, including but not limited to presently social distancing and/or the proper wearing of an appropriate mask(s).

**ALL** courtrooms – hearing rooms utilized for proceedings will on the conclusion of a given day's cases be sanitized, as will those areas of the courthouse commonly used for individuals to get to and from a courtroom – hearing room (*E.g.* courthouse's public elevators and the stairwell to the second floor).

The judges will forward in advance to the Delaware County Park Police through Superintendent Scott D. Mahoney a list of **ALL** cases scheduled on a given day, including but not limited to the names of any interested parties expected to appear, as well as counsel. Such information is to be timely forwarded by email as follows: [ParkPoliceDailyCourtList@co.delaware.pa.us](mailto:ParkPoliceDailyCourtList@co.delaware.pa.us).

For **ANY AND ALL** evidentiary hearings, the attorneys and/or self-represented parties **MUST** provide the presiding judge with a list naming **ALL** reasonably expected witnesses no later than one (1) full business day prior to any such scheduling. (The presiding judge most certainly may in his or her discretion direct counsel and/or the parties in whatever format he or she believes best for such a witness list to be submitted (*E.g.* as part of a pre-trial statement) and/or instruct that the same be sent by a sooner date.) The chambers of the presiding judge will promptly forward to the Delaware County Park Police through Superintendent Scott D. Mahoney copies of **ALL** received witness lists via email, [ParkPoliceDailyCourtList@co.delaware.pa.us](mailto:ParkPoliceDailyCourtList@co.delaware.pa.us). (As is more fully described below, witness lists for any type of DRO matter (*E.g.* contempt, judicial appeal, hearing officer listing) are to be timely sent by counsel and/or self-represented parties to the domestic relations office through an email to [delawarecourtliaison@pacses.com](mailto:delawarecourtliaison@pacses.com) no later than three (3) business days before the scheduled listing.)

Each section and/or division of the court will as best as possible coordinate among those judges sitting on a given date start times staggered by at least thirty (30) minutes.

As is more fully detailed below, **ALL** *in-person* matters must be set for a specific hour or alternatively, that the number of interested parties, including counsel, present in a courtroom during a certain hour is no more than sixteen (16). The presiding judge may as he or she believes necessary to assure required social distancing and/or compliance with any other governmental directive designed to stem the coronavirus spread may further limit the number of persons permitted at a given time in the courtroom.

Court officers assigned to the entry door of every operational courtroom – hearing room will be tasked subject to any such specific directives of the presiding judge with the general responsibility of managing in accord with this protocol the number of people at any given moment permitted in a particular courtroom – hearing room to allow for any required social distancing. As may be necessary to assure compliance with that salient to such considerations this protocol details, court officers may temporarily prohibit entry into a courtroom – hearing room and rather direct counsel, any interested parties and/or witnesses to remain in the outer waiting area or that unused courtroom and/or another area of the courthouse complex (*E.g.* jury assembly room and/or unused courtroom) then designated for overflow purposes by the District Court Administrator.

Should a court officer observe any interested party, a lawyer and/or witness in a courtroom not observing social distancing, failing to wear a mask(s), and/or not following any other of the various governmental guidelines and/or that which this protocol directs, the same must be promptly reported to

the presiding judge and if such personnel are present in the courtroom – hearing room, deputy sheriffs, and/or Park Police Officers.

Should a court officer observe an interested party, lawyer and/or a witness outside of a courtroom – hearing room failing to comply with salient governmental directives, including but not limited to social distancing and/or the wearing of a mask(s), he or she must promptly report the same to the Delaware County Park Police (Ext. 5000), as well as the judge presiding over the matter involving that party, attorney and/or witness, and if in proximity, any deputy sheriff.

The continued failure and/or refusal of an interested party, counsel and/or a witness to follow the governmental directives material to stemming the COVID-19 spread may, *inter alia*, result in any such individual’s immediate removal from the courthouse-governmental complex by sworn personnel of the Delaware County Park Police and/or Delaware County Sheriff’s Office. In the event a person for noncompliance with these safety measures is removed from the courthouse complex, involved law enforcement are to promptly notify the judge presiding over the matter involving that party, lawyer and/or witness of the removal.

## **FAMILY SECTION**

**ANY** type family pleadings, excepting domestic relations (“DRO”) filings as discussed below, may yet be lodged of-record with the Delaware County Office of Judicial Support either *in-person* and/or through mailing addressed as follows: Delaware County Judicial Support Office – 201 West Front Street, Media, PA 19063. The filing party remains responsible for the contemporaneous payment of any fees and/or costs. Questions about fees and/or costs, as well as accepted forms of payment, may be directed to (610) 891-4224 and/or (610) 891-8766.

DRO matters (*E.g.* complaints for support – petitions to modify) can continue to be lodged through the PACSES e-filing found on the Pennsylvania Child Support website. (A link to the same is also located on the Delaware County court website.) DRO pleadings can as well be directly filed with the Delaware County Domestic Relations Office by email – [delawarecourtliaison@pacsces.com](mailto:delawarecourtliaison@pacsces.com) or traditional mail addressed as follows: Domestic Relations – P.O. Box 543, Media, Pennsylvania, 19063. Persons needing assistance with any type and/or manner of lodging can contact the Delaware County Domestic Relations office at [delawarecaseworker@pacsces.com](mailto:delawarecaseworker@pacsces.com).

Although all types of family filings may be lodged, the processing of the same, as well as the resultant listing of certain such hearings will be in accord with this protocol and may in light of the ongoing public health crisis be modestly delayed.

Judge Lowe as the county’s juvenile jurist will, *inter alia*, continue to hear both delinquency and dependency matters, as well as involuntary parental termination cases per that which the attached, *temporary* family section calendar further details with any additional assistance when needed offered, *inter alia*, by the other family section judges.

Although she will have motion conference responsibilities and protection from abuse list assignments, Judge Puppio as the attached, *interim* family section calendar additionally describes will for now continue to primarily preside over DRO matters with any supplemental assistance necessitated by coronavirus impacted case loads provided by the other family judges, excluding the juvenile jurist.

Excepting the juvenile and DRO courts, the other four (4) judges of the family section have been temporarily organized into two (2) subgroups as follows: Judges Cartisano and Love (n. Rashid); and Judges Mackrides and Klein. **BOTH** judges of each team during a given week will generally have for their respective use courtrooms available with the second team of judges sitting the next week. Hence, on any day of a week no more than two (2) family judges will be contemporaneously in session, unless there is some emergent need for another such courtroom to be operational approved by the president judge or family liaison, again excluding the juvenile and DRO courts. (*E.g.* The number of PFA cases listed necessitates five (5) judges sitting.)

On those alternating weeks they will be sitting, Judge Cartisano will utilize courtroom No. ten (10) while Judge Love (n. Rashid) will be in courtroom No. eleven (11). For those every other weeks they are listed to sit, Judge Mackrides will use courtroom No. ten (10) and Judge Klein courtroom No. eleven (11).

Attached and wholly incorporated by reference is an *interim*, family section master calendar detailing, *inter alia*, May 2021 through September 3, 2021, the specific two (2), family judges sitting weekly. For reasons such as vacations, the appended, *temporarily* family section master calendar is subject to change with the judges on one (1) judicial team exchanging, in whole or part, the otherwise assigned courtroom weeks.

To maximize the use of the two (2), operational family courts, a judge listed to sit in a certain week will promptly notify the other team's two (2) judges of any one-half (1/2) or greater day when he or she does not need the courtroom so as a colleague judge believes appropriate he or she may then list his or her case(s).

Any judge assuming a court week, in whole or part, of another jurist **MUST** without exception sit in the courtroom of the originally assigned judge because of the first-floor courtrooms being scheduled on a rotational basis each week among both the civil and family sections.

Consistent with this judicial district's (32<sup>nd</sup>) individual calendaring system, each family judge will be responsible for scheduling his or her assigned cases as he or she believes appropriate, along with providing all interested parties timely notice of the same.

Various hearings as the assigned family judge believes appropriate will still be scheduled, including but not limited to arguments, contested pre-trial evidentiary hearings and/or trials. **ALL** these listings for now will be just those cases reasonably expected to conclude within at most a few days. Such schedulings, including but not limited to contested evidentiary matters, may be conducted as the

designated judge believes proper through both some manner of ACT and/or *in-person*. (E.g. A witness appearing via video conferencing while the lawyers are *in-person* before the presiding judge.)

Excepting as is more further detailed below about indirect criminal contempt protection from abuse matters, there will be for now no other type *in-person* appearances involving inmates of any county, state, and/or federal penal facility before the family courts, but rather ALL listings where a party is for whatever reason incarcerated any such person will participate through some ACT means, assuming the prisoner party's agreement. ANY prisoner of a county, state, and/or federal correctional institution being a named party and wanting to proceed with an *in-person* listing will have his or her matter continued for at least thirty (30) days with the hope the currently ongoing public health crisis, particularly relative to those attendant concerns enveloping southeastern Pennsylvania, including but not limited to Delaware County, would have then sufficiently abated to safely allow for the prisoner's custodial transportation and *in-person* appearance before the court.<sup>6</sup> ALL inmate witnesses must for now appear via ACT.

In ongoing consultation with Jerry L. Sanders, Jr., the Sheriff of Delaware County, through his Chief Deputy, Michael A. Donohue, for every weekly protection from abuse ("PFA") list, no more than fifteen (15) inmates charged with indirect criminal contempt PFA proceedings may to and from penal institutions for such *in-person* appearances be custodially transported. The custodial transportation of prisoners for purposes of *in-person* PFA indirect criminal contempt schedulings will continue to include Pennsylvania state correctional institutions, as well as other county jails (E.g. Montgomery County, Chester County, Philadelphia County, and/or Bucks County).<sup>7</sup>

*While in-person custodial transportations for indirect criminal contempt PFA hearings are once more fairly much allowed, ALL counsel are yet strongly encouraged as a function of material considerations to timely and meaningfully discuss with each and every incarcerated client his or her participation through the available forms of "ACT" (advanced communication technologies), along with the obvious related, safety benefits in this still ongoing public health crisis of not having to undergo custodial transportation as needed for an in-person appearance.*

On ANY day the judicial family teams have *in-person* schedulings, the two (2) judges then sitting will have start times staggered by at least thirty (30) minutes (E.g. Judge Cartisano begins at 9:00 a.m. and Judge Love (n. Rashid) starts no earlier than 9:30 a.m.). Beyond these staggered commencement times regarding each judge sitting on a certain day, there is for now a limit of no more than ten (10) interested parties (I.e. litigants, and/or counsel) permitted *in-person* attendance per a given family courtroom.

Temporary protection from abuse petitions ("PFA") can continue to be filed with the Delaware County Judicial Support Office and will be heard during the courthouse's regular business hours by the family motion judge. (Again, as is usual court practice, magisterial district judges remain available for review of emergency protection from abuse applications after hours and weekends through a telephone call to the local police agency or the county's emergency communication center via dialing 911.)

Although the protection from abuse hearing officer will still not sit, one (1) of the other present family section hearing officers (*E.g.* custody conciliator) not currently listed as his or her full-time schedule would otherwise direct will be designated by the family liaison judge weekly on a day not conflicting with his or her custody proceedings responsibilities to review, organize and process pending protection from abuse matter case files so as to ready the same for upcoming proceedings (*E.g.* address lack of notice concerns).

Protection from abuse lists (PFA) will proceed per the attached *interim*, family master calendar on the following dates: April 8, 2021; April 15, 2021; April 22, 2021; April 29, 2021; May 6, 2021; May 13, 2021; May 20, 2021; May 27, 2021; June 3, 2021; June 10, 2021; June 17, 2021; June 24, 2021; July 1, 2021; July 8, 2021; July 15, 2021; July 22, 2021; July 29, 2021; August 5, 2021; August 12, 2021; August 19, 2021; August 26, 2021; and September 2, 2021. Each of these PFA lists will be divided among a sufficient number of judges and coordinated through both family liaison judge and District Court Administrator to assure there is as best as possible in the specific courtrooms utilized, as well as those general areas of the courthouse, currently recommended “social distancing” and/or a recognition of **ALL** other federal, state and/or county governmental directives about stemming COVID-19 spread.

**ALL** such emergency filings from the present through October 1, 2021, will consistent with existing administrative protocols be forwarded to the assigned judge or should there in a given case currently be no judicial designation, those lodgings will then trigger an assignment to a judge in the family section to whom the emergency pleading will be promptly submitted. The involved judge will first as his or her discretion believes best attempt to settle the dispute by an of-record telephone conference with the attorneys and/or self-represented parties prior to scheduling a hearing. Failing the interested parties reaching some conference agreement, the assigned judge may schedule a court hearing, but only as to those emergent motions and/or petitions which he or she believes constitute true emergency circumstances. If the reviewing judge determines the salient circumstances are such that an emergent hearing should be held, those proceedings to the extent possible may at that court’s discretion be conducted via advanced communication technology (ACT), subject to applicable constitutional restrictions, if any, particularly if the assigned judge is not listed to sit that week.<sup>8</sup> Should the presiding judge determine an emergency hearing must be conducted and at least some interested parties will be appearing *in-person* (*E.g.* the attorneys are present in court before the judge while the parties participate through some form of ACT), the listing of the same is to be coordinated through both the family liaison judge and District Court Administrator to assure there is staggered scheduling allowing for as best as possible about that area of the courthouse and the specific courtroom currently recommended “social distancing,” in addition to **ALL** other federal, state and/or county governmental guidance about countering the COVID-19 virus spread, including but not limited to currently the proper wearing of an appropriate mask and/or prompt surface area disinfecting subsequent.<sup>9</sup>

Assigned and/or otherwise presiding family judges may schedule as believed appropriate pretrial – case management conferences. **ANY** pretrial – case management conferences listed on a day a judge is not scheduled and/or otherwise has access to one (1) of the two (2) operational family courtrooms **MUST** be held with all parties, including but not limited to counsel and/or self-represented individuals,

participating via some manner of ACT, which as the presiding judge believes appropriate may be of-record. **ALL** pretrial – case management conferences with *in-person* participants and/or some combination of ACT and *in-person* appearances are to be set in court for those dates per the attached sectional, *interim* calendar the assigned and/or judge presiding otherwise is then listed to sit in one (1) of the two (2) operational family courtrooms.

Family Section (Special Relief) List Days will be scheduled at the assigned judge’s discretion. Hearings on special relief filings held solely through available advanced communication technologies (ACT’s), including but not limited to teleconferencing and/or video conferencing, with counsel, as well as their clients, and/or self-represented parties, may be set as the presiding judge’s calendar otherwise allows. For purposes of these ACT only special relief proceedings, any and all documents, exhibits and/or evidentiary items are to be forwarded to the assigned judge’s chambers and contemporaneously to the opposing counsel or self-represented party no later than twenty-four (24) hours prior to the scheduling. **ANY** special relief hearing to be held *in-person* or some combination of ACT and *in-person* appearances (*E.g.* counsel are present before the court while the parties appear and participate through ACT) are to be listed in court and on a date that the designated judge is scheduled in one (1) of the two (2) operations family courtrooms to be sitting.<sup>10</sup> Regarding these *in-person*, in full or in part, special relief proceedings, the prior exchange of prospective evidentiary items will be as the designated judge directs.

The Family Court Administrator’s Office will continue to regularly make available those divorce actions otherwise ready for such a review by the Divorce Administrator and relatedly the Divorce Administrator will timely examine all such matters and promptly make to the court a next course of appropriately proceeding recommendation.

The domestic relations office (“DRO”) by utilizing advanced communication technology (“ACT”), including but not limited to telephoning and/or email, will continue conferencing with non-custodial parents not current in their support obligations to determine for possible enforcement action, (*E.g.* listing for contempt proceedings) present employment status.

Establishment conferences will continue to be held utilizing available ACT’s weekly on Tuesdays, Wednesdays and Thursdays with first scheduling given to the complaints with the earliest lodging dates and where the non-custodial parent is alleged to have an income source.

For **ALL** DRO hearing officer matters, including but not limited to those conducted fully or partially by some ACT means (*E.g.* the lawyers and one (1) of the parties are present in court while the other litigant participates through some form of ACT), copies of **ANY AND ALL** reasonably anticipated evidentiary exhibits **MUST** be exchanged among counsel and/or any self-represented parties, as well as contemporaneously provided to the Domestic Relations Office, at least twenty-four (24) hours prior to the scheduled listing. (The submission of these probable exhibits of evidence to the Domestic Relations Office can be as attachments to an email addressed as follows: [delawarecourtliaison@pacses.com](mailto:delawarecourtliaison@pacses.com); or a traditional mailing addressed as follows: Domestic Relations, P.O. Box 543, Media, PA 19063.) It is relatedly the responsibility of the party offering any such evidence to provide at the hearing officer’s

listing paper or “hard” copies of **ANY AND ALL** documentations in a sufficient number for both the court and the other party.

For **ANY AND ALL** DRO hearings (*E.g.* contempt listings, judicial appeals and/or hearing officer proceedings), the attorneys and/or self-represented parties **MUST** as may be applicable provide the domestic relations office with a list naming **ALL** reasonably expected witnesses no later than three (3) full business days prior to any such scheduling. (Any presiding judge most certainly may in his or her discretion direct counsel and/or the parties in whatever format he or she believes best for such a witness list to be submitted (*E.g.* as part of a pre-trial statement) and/or instruct the same be sent by a sooner date.) Involved DRO staff will promptly forward to the Delaware County Park Police through Superintendent Scott D. Mahoney copies of **ALL** received witness lists via email, ParkPoliceDailyCourtLists@co.delaware.pa.us. *The failure of a lawyer and/or pro se party to timely submit to the domestic relations office a witness list may result in the Delaware County Park Police not being notified that those named individuals should be permitted entry into the courthouse-government center complex rendering for a given hearing those persons unavailable.* Absent extraordinarily compelling circumstances, a hearing **WILL NOT** be continued due to the failure to timely provide the domestic relations office a witness list.

Regarding **ALL in-person** DRO hearings (*E.g.* contempt listings, judicial appeals and/or hearing officer proceedings). **ANY** litigant, lawyer, witness and/or other interested party wanting to appear and participate via some type of ACT for documented medical cause (*E.g.* because of an underlining medical condition, one is more vulnerable to the impact of COVID-19 and has been instructed by a treating physician to avoid public settings) in lieu of in-person **MUST** notify the domestic relations office *no less than three (3) business days prior to the scheduled date* to allow for those necessary arrangements to be made by the Legal Audio Visual Department, if reasonably possible.<sup>11</sup> These applications will for now be otherwise allowed subject to applicable constitutional limitations, if any,<sup>12</sup> or the listing continued to a future date should constitutional concerns dictate such and/or should the involved judicial authority believe in the exercise of his or her discretion that the nature of the proceeding and/or an individual requesting remote participation would otherwise be contrary to the material law and/or occasion a party to suffer actual prejudice. (*E.g.* The inability of the factfinder to visually observe a witness only available to testify verbally by telephone.) A DRO party represented by counsel **MUST** first direct any such concerns about participating via some type of ACT to his or her attorney, and witnesses similarly in the first instance are to initially bring these issues to the attention of the lawyer subpoenaing his or her appearance and subsequently the court only if the witness and involved party cannot make such mutually agreeable arrangements as the presiding judge may approve, and subject to that which the Legal Audio Visual Department can timely and reasonably arrange.<sup>13</sup> **ALL** such applications to participate via a form of ACT are to be timely directed to the domestic relations office via email, delawarecourtliaison@pases.com.

DRO hearing officer proceedings will remain scheduled weekly, Mondays through Thursdays beginning at 9:00 a.m. with a lunch break from 12:00 p.m. through 12:30 p.m., and the last case of the day having a 3:00 p.m. commencement time. On Fridays, individual matters will similarly be listed beginning



at 9:00 a.m. through 11:30 a.m. There will for now be no cases regularly set for Friday afternoons, but rather subsequent to the lunch break (12:00 p.m. – 12:30 p.m.) the hearing officers will specially list at sufficiently staggered start times those matters past before them for which a more protracted evidentiary presentation may be reasonably necessary. These hearing officer listings will continue to be set in fifteen (15) minute intervals.

To as best as possible maximize the court time of these DRO hearing officer lists, **ANY** continuance application *must be made known to Domestic Relations Office at least three (3) business before the case's scheduled hearing date.* (Continuance applications are to be forwarded via email at delawarecourtliaison@pacses.com.)

DRO contempt matters will continue to be scheduled weekly with such lists being heard every Monday and Wednesday per that which the appended, *interim* section calendar otherwise details.<sup>14</sup> Individual contempt cases will be set at a rate of two (2) cases every fifteen (15) minutes beginning at 9:00 a.m. until 12:00 p.m., with an approximate one (1) hour lunch break, and cases resuming at 1:00 p.m. through a final 3:30 p.m. start time.

The domestic relations office will continue to schedule separate DRO judicial appeal lists on the following dates and as is otherwise detailed immediately below: April 8, 2021; April 15, 2021; April 22, 2021; April 29, 2021; May 6, 2021; May 13, 2021; May 20, 2021; May 27, 2021; June 3, 2021; June 10, 2021; June 17, 2021; June 24, 2021; July 1, 2021; July 8, 2021; July 15, 2021; July 22, 2021; July 29, 2021; August 5, 2021; August 12, 2021; August 19, 2021; August 26, 2021; and September 2, 2021. **ALL** of these DRO appeal schedulings will commence at 1:30 p.m. with on each such date four (4) respective judges' lists as follows: Two (2) cases set at 1:30 p.m., one (1) matter listed at 2:00 p.m., and two (2) cases scheduled at 2:30 p.m. per judge for every afternoon.

**ANY** lawyer, litigant, witness and/or other interested party having a question about a DRO matter's (*E.g.* contempt scheduling, judicial appeal, and/or hearing officer listing) scheduling (*E.g.* date, time and/or location) can timely direct the same to the Domestic Relations Office through an email to delawarecourtliaison@pacses.com and/or by telephoning for purposes solely of same day scheduling inquiries (610) 891-5083.

The motion judge will continue to hold by video conferencing as needed seventy-two (72) hour Domestic Relations hearings. These seventy-two (72) DRO hearings will be scheduled subsequent as reasonably soon as possible by the Domestic Relations' Director in consultation with the family liaison judge.

The equitable distribution ("ED") hearing officers will continue to conduct via available advanced communication technologies (ACT's) pretrial conferences and/or discovery conferences. The same as the presiding hearing officer believes appropriate and/or per that which a judge instructs may be of-record. The court will provide counsel and/or self-represented parties no less than five (5) days advanced notice via email as to any such listing's scheduling.

In addition to the ACT pretrial and/or discovery conferences referenced immediately above, every Tuesday and Wednesday, equitable distribution hearing officer *in-person* proceedings as further detailed below will continue to be held.

These *in-person* ED hearing officer listings will yet be individually scheduled on Tuesdays and Wednesdays beginning at 10:00 a.m., then 11:00 a.m., 1:00 p.m. and concluding with a 2:00 p.m. listing.

The Office of the Family Court Administrator in scheduling the equitable distribution hearing officer matters described above and below will first list those cases past set and previously canceled due to the prior declared judicial emergency,<sup>15</sup> if any. The Family Court Administrator's Office **MUST** provide to all of-record attorneys reasonable advanced, written and/or emailed notice of these relistings.

Because of space constraints and the present public health need to maintain necessary social distancing, these equitable distribution hearing officer proceedings will for now be limited to *in-person* appearances by just respective counsel. (Currently, only such matters where both parties are represented by a lawyer will be listed.) Although the parties will not yet be present *in-person*, the attorneys **SHALL** arrange that the client is then available through some manner of advanced communication technology to so participate should the presiding ED hearing officer determine the same to be beneficial. For good cause shown (*E.g.* Underlining medical condition making one more vulnerable to the impact of COVID-19, any counsel wanting to appear and participate via some type of ACT (advance communication technology) in lieu of *in-person* must notify the Family Court Administration Office no less than three (3) days prior to the scheduled date<sup>16</sup> to allow for a review of that request and/or if permitted, those necessary arrangements to be made. (These requests are to be timely submitted by calling (610) 891-4564.)

For **ALL** equitable distribution hearing officer cases, including but not limited to those conducted fully or partially by some ACT means (*E.g.* One (1) lawyer is present *in-person* with the hearing officer while the other attorney participates through some form of ACT), copies of **ANY AND ALL** reasonably anticipated, evidentiary exhibits **MUST** be exchanged among counsel at least twenty-four (24) hours prior to the scheduled listing. It is relatedly the responsibility of the party offering any such evidence to provide at the hearing officer's proceeding paper or "hard" copies of **ANY AND ALL** documents in a sufficient number for both the court and the other party.

To as best as possible maximize the court time of these ED hearing officer lists, **ANY** continuance application **MUST** be made known to the Family Court Administrator's Office at least five (5) business days before the case's scheduled hearing date. (Such continuance applications are to be submitted by telephoning (610) 891-4564.)

The custody hearing officers from the present through and including January 31, 2021, will conduct by available advanced communication technologies (ACT's) pretrial conferences and/or discovery conferences. These conference schedulings may as the presiding custody conciliator believes appropriate and/or that which a judge so directs be of-record. The court will provide the attorneys and/or

self-represented litigants no less than five (5) days advanced notice by email as to any such listing's scheduling.

In addition to conducting advanced communication technologies (ACT's) pretrial and discovery conferences, the custody hearing officers will continue such *in-person* hearings. For good cause shown (*E.g.* underlining medical condition making one more vulnerable to the impact of COVID-19, **ANY** litigant, attorney, witness and/or other interested party wanting to appear and participate via some type of ACT (advanced communication technologies) in lieu of *in-person* **MUST** notify involved staff of the Family Court Administrator Office ***no less than three (3) business days prior to the scheduled date***<sup>17</sup> to allow for a review of that request and/or if permitted, those necessary arrangements to be made. (These requests are to be timely submitted through the following email: DelcoCustody@co.delaware.pa.us.)

These *in-person* custody conciliator listings will be scheduled weekly, Monday through Friday, with individual cases listed for now every thirty (30) minutes beginning at 9:00 a.m., an hour lunch break starting at approximately noon, and the last case of the day having an approximate 3:30 p.m. commencement time. ***These thirty (30) minute intervals are scheduling parameters and not length of hearing limitations.***

For **ALL** custody hearing officer matters, including but not limited to those conducted fully or partially by some ACT means (*E.g.* The lawyers and one of the parties is present in court while the litigant participates through some form of ACT), copies of **ANY AND ALL** reasonably anticipated evidentiary exhibits **MUST** be exchanged among counsel and/or self-represented litigants at least twenty-four (24) hours prior to the scheduled listing. It is relatedly the responsibility of the party offering any such evidence to provide at the custody conciliator proceeding paper or "hard" copies of **ANY AND ALL** documents in a sufficient number for both the court and the other party.

The attorneys and/or any *pro se* parties must provide the Family Court Administrator's Office with a list naming **ALL** reasonably expected witnesses no later than one (1) full business day prior to any such scheduling. These lists are to be timely forwarded by email at DelcoCustody@co.delaware.pa.us. The Office of the Family Court Administrator will then through Superintendent Scott D. Mahoney provide to the Delaware County Park Police a list of **ALL** such custody cases scheduled on a given day, including but not limited to the names of **ANY** witness expected to appear as well as counsel. (Such information to is to be forwarded via email at ParkPoliceDailyCourtList@co.delaware.pa.us.) The failure of a self-represented party and/or counsel to timely submit this list of names to the Office of the Family Court Administrator may very well result in the Park Police barring a witness from entering the courthouse complex and relatedly preclude his or her testimony.<sup>18</sup>

To as best as possible maximize the court time of the custody hearing officers, **ANY** continuance application **MUST** be made known to the Office of the Family Court Administrator at least five (5) business days before the case's schedule hearing date. (Continuance applications are to be forwarded via email at DelcoCustody@co.delaware.pa.us.)

**ALL** parties whether *pro se* or represented by an attorney **MUST** meaningfully engage in good faith discovery consistent with **ANY AND ALL** such salient trial court orders and/or directives, including but not limited to depositions conducted to the extent practicable via some manner of available advanced communication technology, subject to applicable constitutional limitations, if any.<sup>19</sup>

“To the degree necessary, attorneys should counsel their clients that the public health emergency can in no way be used to secure strategic advantage in litigation, including by means of dilatory conduct[,]” particularly relative to the timely exchange of **ANY AND ALL** discoverable materials, whether the same is required by an applicable procedural rule, mandated by a relevant trial court order, compelled by some other legal authority, and/or expected by the lawyers’ agreement.<sup>20</sup>

<sup>1</sup> See Orders dated April 28, 2020, p. 2; and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket. See also *Philadelphia Inquirer*, May 13, 2020, Section B, p. 1 (“Infections greater at Delco jail - Jail: Nearly half of inmates tested had virus; infection rate 50 times that of the population at large.”); May 16, 2020, Section A, pp. 1, 4 (“Over that past 14 days, Delaware County has on average 275 cases for each 100,000 residents ... significantly higher than the suburban counties surrounding it.”); May 19, 2020, Section A, pp. 1, 6 (“Virus Rate Remains Stubbornly High in Delaware County”); May 22, 2020, Section A, pp. 1, 9 (“Delaware County trails Philadelphia and the other counties in flattening the curve of new cases.”); July 2, 2020, Section A, pp. 1, 6 (“... Pa. reports biggest one-day increase since June 5... . Cases ... June 1 ... July 1 ... Change ... +8%.”); July 8, 2020, Section A, pp. 1, 6 (Delaware County infection rate increases from 23 to 32 per 100 ,000 persons.); July 16, 2020, Section A, pp. 1, 6 (“New Pa. limits as cases rising ... After averaging about 400 new cases a day less than a month ago, this state is now averaging close to 800. Case counts have increased in 43 counties and the percentage of people testing positive has increased in 28 counties ... ”); July 20, 2020, Section A, pp. 1, 9 (Three (3) of the five (5) municipalities having the greatest number of Coronavirus cases per 10,000 residents within southeastern Pennsylvania are Delaware County communities.); July 22, 2002, Section A, p. 1 (“Pennsylvania is reporting an average of 871 cases per day, an increase of 120% from June 19, following a two-month decline.”); July 23, 2020, Section A, pp. 1, 9 (Delaware County’s seven (7) day average of newly reported cases has increased 220% since June 27, 2020.); July 29, 2020 Section A, pp. 1, 6 (Since June 27, 2020, the daily average of new cases has increased 379% growing from 16 to 75.); July 30, 2020, Section A, p. 6 (“Delco count rising fastest in area[.] ... The county has gone from an average of 15.7 new cases a clay on June 27 to 78.3 new cases a day on Tuesday - an increase of 398% ... . ‘We are concerned with what we have seen from Delaware County,’ ... Nate Wardell, a spokesperson from the state Health Department, said... .”); August 14, 2020, Section A, p. 1 (“... Pennsylvania Health Secretary ... cited ... Delaware Count[y] as [an] area[] in the state with high community spread of the coronavirus. Delaware County’s per capita rate of new cases now exceeds that of Philadelphia, Allegheny County, and the state as a whole.”); August 20, 2020, Section A, pp. 1, 3 (“... Delaware County currently has the highest [COVID-19] rate [per 100,000 residents] in the region. ...”); October 7, 2020, Section A, 1, 8 (“Pennsylvania ... [is] entering October with coronavirus case levels at the highest they have been since the encl of spring Since the end of August, the average number of new coronavirus cases reported each day nearly doubled in Pennsylvania”); October 8, 2020, Section A, p. 9 (“... [S]ince the end of August the average number of new coronavirus cases reported each day nearly doubled in Pennsylvania Compared with a month ago, average new cases a day have jumped by more than 400 in Pennsylvania, surpassing 1,000 per day last week ... .”); October 11, 2020, Section B, p. 2 (“Pa. virus cases hit 6-month high ... Pennsylvania reported its highest number of confirmed coronavirus infections in six months ... .”); October 13, 2020, Section B, pp. 1, 8 (“The average number of new coronavirus infections being diagnosed in Pennsylvania ... showed no signs of slowing, even after warnings last week from officials advising the public to double down on safety practices. ... The Commonwealth was averaging 1,300 new cases a clay over the last seven days ... . Delaware [C]ount[y] [has] seen [a] rise[] in recent days. Using 14-day totals of new cases per 100,000 people, ... Delaware County went from 94 to 125”); October 16, 2020, Section A, p. 8 (“Pennsylvania reported 1,598 new coronavirus cases, the highest one-day count since April 24 and the 10th, day in a row new cases have exceeded 1,000. The commonwealth is now averaging 1,370 new cases a day, the highest daily average since April 14, right after the pandemic’s first peak.”); October 23, 2020, Section A, p. 8 (“... Delaware ... Count[y] ... [has] more than 2,000 per 100,000 residents, well above the threshold the state deems safe.”); October 29, 2020, Section A, pp. 1, 3 (“Pennsylvania’s fall coronavirus surge has surpassed the state’s April peak in new cases, the rising metrics continued sounding alarm bells on a day when Pennsylvania’s average daily number of new cases rose above 2,000 for the first time during the pandemic, ... .”); November 5, 2020, Section B, pp. 1, 9 (“The coronavirus pandemic continued to escalate across the region daily increases are now even higher than in the springtime peak. ... [A]n infectious disease specialist ... said in an interview that the trends are dangerous, an expert’s fear worse is to come.”); November 6, 2020, Section B, pp. 1, 4 (“As new coronavirus cases in Pennsylvania ... soar past levels that prompted shut downs in the spring the Pennsylvania Department of Health on [November 5, 2020] reported an unrepresented daily increase of ... COVID-19”); November 8, 2020, Section B, pp. 1, 4 (“Over the last four weeks, rates of new known coronavirus cases have at least doubled in ... every county in the Philadelphia area.”); November 10, 2020, Section B, pp. 1, 3 (“At the pandemic’s eight month mark, Pennsylvania is in the midst of a streak of about 3,000 cases a day in the Philadelphia region, Delaware County has the highest positivity rate of 7.6%”); November 12, 2020, Section B, pp. 1, (“A second pandemic wave is ... in the region nearly nine months after the forced shutdowns ... . Hospitals in Delaware County in recent days became so inundated with COVID-19 that they are turning away ambulances ... .”); November 13, 2020, Section A, pp. 1, 6 (“All five of Delaware County’s hospitals were at capacity earlier this week and had to divert patients ... . Pennsylvania

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reported that it had received 5,488 new positive-test results and for the first time in the pandemic it averaged more than 4,000 cases a day in the seven-day period ... . In Delaware County, cases are close to where they were at the spring pandemic peak ... .”); November 16, 2020, Section B, pp. 1, 5 (“Pennsylvania’s daily average has increased every day since mid-October, but in November the number has soared.”); November 17, 2020, Section A, pp. 1, (“With nearly 10,000 new infections reported in Pennsylvania between Sunday and Monday ... leaders across the region urged renewed intensity in the face of pandemic fatigue... . The statewide positivity rate has increased to 9.6% from 6.8%”); November 18, 2020, Section A, pp. 1, 6 (“Pennsylvania’s top health official issued a broader mask mandate, a bid to force people to wear face coverings as coronavirus case numbers continue to soar over the last four weeks rates of new known coronavirus cases have at least tripled in every county in the Philadelphia area.”); November 20, 2020, Section A, pp. 1, 10 (“ ... [T]he coronavirus [is] spreading faster than ever, Pennsylvania reported more than 7,000 new cases Thursday, breaking its record for the third straight day. In just two weeks, Pennsylvania has gone from an average of 2,500 new cases a day to 5,700 cases a day ... . ‘The county has now exceeded the highest number of COVID-19 outbreaks since the height of the pandemic.’ ”); December 4, 2020, Section A, p. 1 (“Pennsylvania shattered its record for coronavirus cases logged in a single day by a staggering amount ... , reporting more than 11,000 new infections ... . All but eight of Delaware County’s ICU beds were filled, state data showed.”); December 10, 2020, Section A, pp. 1, 6 (“Pennsylvania officials have been considering a new statewide ban on indoor dining and mandatory closures of gyms and casinos, their most stringent steps this fall to combat soaring coronavirus cases and hospitalizations, ... . Pennsylvania’s seven-day average of new cases per date neared 10,000 on Wednesday ... .”); December 11, 2020, Section A, pp. 1, 6 (“Until Jan. 4, Pennsylvania will shut down indoor dining, suspend school sports and extracurriculars, close all casinos, gyms, and other entertainment venues, lower retail occupancy limits, and sharply reduce the number of people allowed to gather in one place ... . The new restrictions come at a point when the state’s daily case numbers have sky rocketed with more than 10,000 people newly infected each day for five out of the last eight days, ... .”); December 16, 2020, Section A, pp. 1, 14 (“ ... Pennsylvania reported its highest single-day death toll from COVID-19 since May and said nearly 6,300 virus patients were hospitalized across the commonwealth, twice the total from the same point last month. .... Pennsylvania surpassed 500,000 confirmed cases of the virus, reporting 9,556 new cases.”); January 9, 2021, Section A, pp. 1, 5 (“For the first time since mid-December, Pennsylvania on Friday reported more than 10,000 newly confirmed positive cases ... . Over 700,000 Pennsylvanians have tested positive for the virus, ... .); January 15, 2021, Section A, pp. 1, 2 (“January is on pace to become Pennsylvania’s deadliest month of the pandemic, ... . It is a continuation of a surge that has seen more than 8,300 Pennsylvanians reported dead since Dec. 1, ... . With the case surge not over yet, the death toll will keep growing; ... . Philadelphia, its Pennsylvania’s suburbs, ... have all experienced surges in the death toll since the end of November, ... .”); March 7, 2021, Section B, p. 1 (“ ... [T]he suburban Philadelphia counties where State Health Department data shows – without explanation from Harrisburg – an alarming undersupply of vaccine doses to Bucks, Chester, Delaware, and Montgomery counties ... .”); March 8, 2021, Section A, pp. 1, 4 (“An Inquirer data analysis last week indicated the suburban Philadelphia Counties were receiving fewer doses per capita than other counties ... .”); March 9, 2021, Section A, pp. 1, 6 (“The fight over vacating Philadelphia’s suburban counties intensified Monday, as Southeastern Pennsylvania politicians demanded that the state send more vaccine doses and the State Health Department indicated it had no plans to boost the region’s share. ... In a rare joint statement Monday, the commissioners of Bucks, Montgomery, Chester, and Delaware Counties called on [the State Health Department] to act and said that the state had not been transparent about how many total doses have gone to the counties or whether it would correct any shortfalls. ... In addition, Bucks and Delaware Counties both disputed the state’s reasoning for why their supplies were lower at points in the rollout. ... In Delaware County, which has received the least amount of vaccine per capita of the four counties, representatives were particularly vexed.”); March 10, 2021, Section B, pp. 1, 2 (“Concerned that the region has received a disproportionately low share of doses compared with other counties, the commissioners of all four collar counties also called this week on the state to provide detail about how it monitors vaccine providers ... . Lawmakers and county officials sharply criticized the state Department of Health after it acknowledged the region had a vaccine undersupply but indicated that it would not take steps to fix it.”); March 11, 2021, Section B, pp. 1, 6 (“In Delaware County where nearly 17% of the population is 65 and older, ... vice chair of [the county] council said most the frustration she hears is from seniors. ‘They are our most vulnerable population, ... and they are having the most difficulty getting the vaccine.’ ”); March 11, Section B, pp. 1, 3 (“A Department of Health spokesperson said Monday that the state did not dispute an Inquirer data analysis or deny an undersupply. ... Delaware County – which had the lowest per capita dose delivery in the Inquirer analysis – ... .”); March 13, 2021, Section A, p. 1 (“And officials in Delaware, Montgomery, Bucks, and Chester Counties said they had not yet heard how many doses would come to them ... .”); March 27, 2021, Section A, pp. 1, 5 (“The Department of Health reported 4,927 new cases, and is now averaging 3,780 infections a day

over the last seven a day [sic], according to an Inquirer analysis. That’s an increase of 53% over the last two weeks.”); March 30, 2021, Section A, pp. 1, 6 (“A particularly ominous sign for the Philadelphia area: more than a third of samples taken over the last month from 80 COVID-19 patients had mutations known to make the virus more transmissible or resistant to current vaccines, or both . . . . ‘If you look at the state of Pennsylvania, cases in the Southeast are up sharply in the last few weeks. . . . The more infections, the more spread, the more opportunity for the virus to mutate.’ ”); March 31, 2021, Section A, p. 7 (“But officials said middle and high school students should still be 6 feet apart when community transmission of the coronavirus is substantial – a category that currently includes Philadelphia and the collar counties.”); April 1, 2021, Section A, p. 4 (“Coronavirus are continuing to rise . . . . In Pennsylvania, COVID-19 cases continue to surge as health experts warn of a fourth wave of new infections. . . . [T]he state was averaging over 4,000 infections over the last seven days – an increase of 57% over the last two weeks . . . .”); April 7, 2021, Section A, pp. 1, 6 (“Pennsylvania . . . [is] seeing some of the nation’s steepest increases in cases . . . .”); and April 14, 2021, Section A, p. 8 (“Pennsylvania reported 6,638 new COVID-19 cases, the most in a single day’s reporting since the end of January. In the last seven days the daily average was 4,630 newly reported positive tests, the highest rate of new infections in more than two months.”).

<sup>2</sup> See Orders dated April 28, 2020, pp. 4-5; and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket.

<sup>3</sup> See Orders dated April 28, 2020, p. 9; and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket. See also Pa.R.J.A. No. 1952(B)(2)(d)(h)(i)(q).

This court, *inter alia*, under separate emergency orders of May 27, 2020, and as continued through subsequent amended and additional emergent orders for both the civil and criminal sections had extended the cancelation of jury trials and relatedly jury duty until at least July 31, 2020. See Emergency Order – Criminal Section dated May 27, 2020; Third Emergency Order Extension – Civil Section dated May 27, 2020; Third Emergency Order Extension – Civil Section, *as Amended*, dated June 22, 2020; Fifth Emergency Order – Criminal Section, *as Amended*, dated June 30, 2020; Emergency Order – Criminal Section, *as Amended*, dated July 8, 2020; Fourth Emergency Order Extension – Civil Section, dated July 22, 2020; Second Emergency Order Extension – Criminal Section dated July 24, 2020; Fifth Emergency Order Extension – Civil Section dated October 20, 2020; Third Emergency Order – Criminal Extension dated October 20, 2020; Fifth Emergency Order Extension – Civil Section, *as Amended*, dated October 27, 2020; Third Emergency Order Extension – Criminal Section, *as Amended*, dated December 18, 2020; Sixth Emergency Order Extension – Civil Section dated January 22, 2021; and Fourth Emergency Order Extension – Criminal, *as Amended*, dated January 26, 2021. The current criminal and civil section emergent orders continue this constrained cancelation of jury trials and jury duty through October 1, 2021, while directing the District Court Administrator is to remain working in concert with other salient court personnel (*E.g.* court electronic recording), as well as material county officials (*E.g.* facilities management), to finalize such a plan and implement those related necessary arrangements allowing for jury trial resumption. It is currently anticipated that an amended emergent order at least directing criminal jury trials resuming will in the near future be forthcoming. See Fifth Emergency Order Extension – Criminal Section dated April 21, 2021; and Seventh Emergency Order Extension – Civil Section dated April 21, 2021.

<sup>4</sup> Although more specific to whether an employee will be permitted into the courthouse-government complex, the attached Chester County Health Department workforce screening materials provide at least a general overview of the assessment process the Delaware County Park Police will utilize for ALL individuals attempting to enter the county courthouse-government center.

<sup>5</sup> See Orders March 16, 2020, pp. 2-3; March 18, 2020, pp. 4, 6-7; April 1, 2020, pp. 4-5; and April 28, 2020, pp. 4-5 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket. See also Pa.R.J.A. No. 1952(B)(2)(d)(h)(i)(q).

<sup>6</sup> See Order dated April 28, 2020, pp. 4-5 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket. See generally Pa.R.J.A. No. 1952(B)(2)(a)(d)(h)(k)(q). See also Endnote No. 1.

<sup>7</sup> The continued custodial transportation of prisoners for in-person appearances before the trial courts regarding indirect criminal contempt PFA listings from Pennsylvania state correctional institutions and/or local county jails (E.g. Montgomery County, Chester County, Philadelphia County, and/or Bucks County) follows ongoing communications with the sheriff’s chief deputy, as well that office having discussed such with involved George W. Hill Correctional Facility personnel.

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As recognized by that section's current protocols, there are for now no criminal court proceedings on that day of each week when PFA cases are to be heard to allow smaller sized lists among a greater number of family judges with all such cases heard in the larger criminal courtrooms. See Sixth Emergency Order Extension – Criminal Section and Attached Protocol dated April 21, 2021. Absent the prior approval of the president judge and/or family liaison for the most extraordinarily compelling of reasons, there are **NO** exceptions to the limit for now of no more that fifteen (15) inmates being transported from the George W. Hill Correctional Facility (Delaware County Prison) and/or some other penal institution. Hence, the sheriff's office will not currently have the responsibility to contemporaneously transport for *in-person* appearance the criminally accuseds and those in PFA proceedings charged with indirect criminal contempt.

<sup>8</sup> See Orders dated March 16, 2020, p. 2; March 18, 2020, pp. 4, 6-7; April 1, 2020, pp. 4-5; April 28, 2020, pp. 4-5; and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket. See also Attached *Interim Family Calendar*.

<sup>9</sup> See Orders dated March 16, 2020, p. 2; March 18, 2020, pp. 4, 6-7; April 1, 2020, pp. 4-5; April 28, 2020, pp. 4-5; May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket.

<sup>10</sup> See Attached *Interim Family Calendar*.

<sup>11</sup> See Family Section Emergency Cancelations and Revised Scheduling Protocols dated April 21, 2021, p. 4.

<sup>12</sup> See Orders March 16, 2020, pp. 2-3; March 18, 2020, pp. 4, 6-7; April 1, 2020, pp. 4-5; and April 28, 2020, pp. 4-5 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket. See also Pa.R.J.A. No. 1952(B)(2)(d)(h)(i)(q).

<sup>13</sup> See Family Section Emergency Cancelations and Revised Scheduling Protocols dated April 21, 2021, p. 4.

<sup>14</sup> See Attached *Interim Family Calendar*.

<sup>15</sup> See Emergency Order – Family Section dated March 20, 2020; Emergency Order Extension – Family Section dated April 9, 2020; Second Emergency Order Extension – Family Section dated April 29, 2020; Third Emergency Order Extension dated May 27, 2020; and Third Emergency Order Extension – Family Section, as Amended dated June 5, 2020. See also Orders dated March 16, 2020, pp. 1-2; March 18, 2020, pp. 1-3; March 24, 2020; April 1, 2020, pp. 1-3; April 28, 2020, pp. 2-5; and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket; Emergency Declaration dated March 17, 2020; Emergency Declaration Extension dated April 2, 2020; Second Emergency Declaration Extension dated April 28, 2020; Third Emergency Declaration Extension dated May 27, 2020; Fourth Emergency Declaration Extension dated July 8, 2020; Fifth Emergency Declaration Extension dated October 20, 2020; Sixth Emergency Declaration Extension dated January 22, 2021; and Seventh Emergency Declaration Extension dated April 21, 2021.

<sup>16</sup> See Family Section Emergency Cancelations and Revised Scheduling Protocols dated April 21, 2021, p. 4.

<sup>17</sup> See Family Section Emergency Cancelations and Revised Scheduling Protocols dated April 21, 2021, p. 4.

<sup>18</sup> See Family Section Emergency Cancelations and Revised Scheduling Protocols dated April 21, 2021, p. 4.

<sup>19</sup> See Orders dated March 16, 2020, pp. 2-3; March 18, 2020, pp. 4, 6-7; April 1, 2020, pp. 4-5; April 28, 2020, pp. 4-5 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket. See also Pa.R.J.A. No. 1952(B)(2)(d)(h)(i)(q).

<sup>20</sup> See Order dated April 28, 2020, p. 10 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket.





**Chester County Health Department**  
 COVID-19 Response for Chester County and Delaware County

**COVID-19 Screening Guidance for Employers**

December 8, 2020

**Purpose:** This guide has been developed to support the screening of employees to assess need to be excluded from the workplace and self-quarantine or self-isolate.

**Procedure:**

**1. Assess current symptoms, recent exposure, and travel history upon arrival:**

- Take temperature with temporal or forehead touchless thermometer
- Ask: Are you taking any medication to treat or suppress a fever?
- Ask: Are you currently waiting for a COVID-19 test result for any reason other than a required routine screening for work or a health procedure?
- Ask: Have you tested positive for COVID-19 in the past 10 days?
- Ask: In the last 14 days, have you had close contact with someone who has COVID-19? Close contact means you were within 6 feet of that person for 15 minutes or longer.
- Ask: Have you traveled in the last 14 days outside of Pennsylvania, other than for work or for medical reasons?
  - If yes: Have you received a negative COVID-19 test? Note: the specimen must have been taken 72 hours prior to arrival in PA or after arrival to PA.
- Ask: Are you currently experiencing any of the following symptoms?

Group A 1 or more symptoms	Group B 2 or more symptoms	
Cough	Sore throat	Headache
Shortness of breath	Chills	Congestion or runny nose
Difficulty breathing	Muscle pain	Nausea or vomiting
Lack of smell or taste (without congestion)	Fatigue	Diarrhea
	Fever	

"COVID-19 Symptoms" is defined as having 1 or more symptom(s) in Group A  
**OR** 2 or more symptoms in Group B

**2. Provide Guidance (Table 1):**

Scenario	Exclusion from Workplace	Return to Work Guidance
#1 – Negative Screen	None	NA



**Chester County Health Department**  
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Scenario	Exclusion from Workplace	Return to Work Guidance
#2 – COVID-19 Symptoms	Yes	<p>Employee should be tested for COVID-19. Individuals awaiting test results should be excluded from workplace.</p> <ul style="list-style-type: none"> <li>➤ If test result is <u>negative</u>, return to work based on clinical criteria for alternative diagnosis. If no alternative diagnosis is known, return to work 24 hours after symptoms are improved.</li> <li>➤ If test result is <u>positive</u>, follow return to work guidance for scenario #3.</li> </ul> <p>If individual is not tested, follow return to work guidance for scenario #3 (assume employee is positive).</p>
#3 – Positive COVID-19 PCR Test <u>with</u> Symptoms	Yes	<ul style="list-style-type: none"> <li>➤ 24 hours with no fever <b>and</b></li> <li>➤ improvement in symptoms <b>and</b></li> <li>➤ 10 days since symptoms first appeared.</li> </ul>
#4 – Positive COVID-19 PCR Test <u>without</u> Symptoms	Yes	<p>10 days after the PCR test was collected.</p> <ul style="list-style-type: none"> <li>➤ If symptoms develop during 10 days, follow return to work guidance for scenario #3.</li> </ul>
#5 – Close Contact <u>with</u> Symptoms	Yes	<p>Employee should be tested for COVID-19. Individuals awaiting test results should be excluded from work.</p> <ul style="list-style-type: none"> <li>➤ If test result is <u>negative</u>, return to work 14 days after last exposure to the person with COVID-19, and symptoms have resolved.</li> <li>➤ If test result is <u>positive</u>, follow return to work guidance for scenario #3.</li> <li>➤ If individual is not tested and develops symptoms within 14 days of exposure, individual is considered a probable case, follow return to work guidance for scenario #3.</li> </ul> <p><i>Additional quarantine guidance is provided below.</i></p>
#6 – Close Contact of COVID-19 <u>without</u> Symptoms	Yes	<p>14 days after the date of last exposure to the person with COVID-19.</p> <ul style="list-style-type: none"> <li>➤ If symptoms develop during 14 days, individual is considered a probable case, follow return to work guidance for scenario #3.</li> </ul> <p><i>Additional quarantine guidance is provided below.</i></p>



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 COVID-19 Response for Chester County and Delaware County

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December 8, 2020

Scenario	Exclusion from Workplace	Return to Work Guidance
		<i>Exception: Anyone who has developed COVID-19 illness within the previous 3 months AND has recovered AND remains without COVID-19 symptoms, does not need to stay home.</i>
#7 – Yes to Travel History	Yes	10 days after return from out-of-state travel OR Negative test result from a specimen collected within 72 hours prior to returning to Pennsylvania or after arrival to PA. Note: Individual must quarantine until the negative result is received.  <i>Exception: Anyone who has developed COVID-19 illness within the previous 3 months AND has recovered AND remains without COVID-19 symptoms does not need to stay home.</i>

**Guidance for Employees:**

1. Notify your supervisor if you meet any exclusion from work criteria.
2. Self-monitor for symptoms.
3. Wear a face mask at all times.
4. Practice social distancing in the workplace and do not congregate in common areas.
5. Notify your supervisor and go home immediately if you become sick.
6. Do not share headsets or objects used near face.
7. Notify your supervisor of travel plans.

**Employees with COVID-19 Exposure or Positive Test Result:**

Individuals are notified by their physician or the Health Department about test results for COVID-19. Individuals who are a close contact of a case are notified by the case, facility where they were exposed, or the Health Department. Because tests may be false positive or false negative, some testing may need to be repeated or confirmed. If there is uncertainty about an employee's result, have them consult their physician. If an employee receives a positive test result for COVID-19, employee should remain at home in isolation until *Return to Work Guidance* is met, regardless of symptoms. This includes essential employees.

Test results may include the following:

- Detection of SARS-CoV-2 RNA in a clinical specimen using a molecular amplification detection test (PCR)
- Detection of specific antigen in a clinical specimen



**Chester County Health Department**  
COVID-19 Response for Chester County and Delaware County

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Anyone who has had close contact with someone with COVID-19 and developed COVID-19 illness within the previous 3 months AND has recovered AND remains without COVID-19 symptoms does not need to stay home. At this time, we do not know if someone can be re-infected with COVID-19. There are no confirmed reports to date of a person being re-infected with COVID-19 within 3 months of initial infection. However, additional research is ongoing. Until more is known, CDC recommends that all people, whether or not they have had COVID-19, continue to take safety measures to avoid becoming infected with COVID-19 (wash hands regularly, stay at least 6 feet away from others whenever possible, and wear masks).

Based on new information regarding antibody testing, results of antibody tests are not used for exclusion from work or return to work.

If an employee tests positive for COVID-19, the building does not need to be evacuated. An employer may choose to voluntarily close to perform a deep cleaning out of an abundance of caution. Visit <https://www.chesco.org/4437/Coronavirus-COVID-19-How-to-Help> for information on cleaning and disinfecting.

**Alternative Quarantine Guidance:**

The use and adherence to quarantine requirements continue to be a strong public health measure to mitigate COVID-19. Quarantining individuals breaks the transmission cycle by limiting exposure to other individuals. Therefore, the Chester County Health Department continues to recommend 14 day quarantine period as the most protective quarantine period. The Chester County Health Department recognizes the following quarantine periods as acceptable alternatives when adherence to the 14 day period is truly not possible.

The following alternative quarantine periods do NOT apply to individuals who work at, or live in, healthcare or congregate settings to include hospitals, healthcare practices/offices, long-term care facilities, correctional facilities, clinics of all sizes, shelters, group homes, etc.

Employers and organizations, including daycare/childcare centers, public/non-public schools, must determine if they will support alternative quarantine periods for their employees, those doing business with them, or receiving services from them. Employers and organizations selecting to use alternative quarantine periods as outlined below must continue symptom monitoring for the full 14 days continues, and must continue strict adherence to all existing local and state mandates and guidance (e.g., masking, physical distancing). Employers and organizations are recommended to consult their solicitor regarding any policies, procedures or protocols for requirements that may need to be in place regarding proof of negative test result and date of test when using alternative quarantine periods. Additionally, employers and organizations should update their employee and visitor screening protocol if using the alternative quarantine protocols.



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December 8, 2020

Alternative quarantine periods when 14 days cannot be adhered to:

- Quarantine can end after day 10 without testing if an individual remains asymptomatic through the end of day 10.
- Quarantine can end after day 7 if a diagnostic specimen (e.g., RT-PCR, antigen) tests negative and is collected on day 5 or thereafter, and the person remains asymptomatic until the test result is received.

Quarantine begins after the date of last exposure (day 0) to a person with COVID-19. At no time can quarantine be discontinued before the end of day 7 even if a negative test COVID-19 test result is received prior to the end of day 7.

Chester County Health Department will support PA DOH's evaluation of these alternatives in terms of compliance with quarantine and contact tracing activities, but also for any potential negative impacts such as post-quarantine transmission.

Chester County Health Department continues to recommend that COVID-19 testing be prioritized for symptomatic persons seeking evaluation for COVID-19 infection ahead of testing for early discontinuation of quarantine.

**Temperature Assessment:**

The temperature considered a fever during screening differs based on how temperature is taken. Consult with the manual of the device you are using to confirm temperature for fever. Any fever reported by an employee, even if no thermometer was used, is considered symptomatic.

Mode	Temperature for fever
Axillary and temporal	99.5°F or higher
Oral	100.0°F or higher

**Travel:**

If an employee travels outside of the state of Pennsylvania that individual needs to quarantine for 10 days upon return to Pennsylvania OR receive a negative COVID-19 test result from a specimen collected within 72 hours of their return to PA or after arrival to PA. If symptoms develop during that time, follow above exclusion and return to work criteria. Exceptions to this include individuals traveling to and from PA for the purposes of work, for medical reasons, or military orders. Employees should notify their supervisor of travel plans prior to traveling.



**Chester County Health Department**  
COVID-19 Response for Chester County and Delaware County

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**COVID-19 Screening Guidance for Employers**

December 8, 2020

Anyone who has traveled outside of Pennsylvania and developed COVID-19 illness within the previous 3 months AND has recovered AND remains without COVID-19 symptoms does not need to stay home or be retested. At this time, we do not know if someone can be re-infected with COVID-19. There are no confirmed reports to date of a person being re-infected with COVID-19 within 3 months of initial infection. However, additional research is ongoing. Until more is known, CDC recommends that all people, whether or not they have had COVID-19, continue to take safety measures to avoid becoming infected with COVID-19 (wash hands regularly, stay at least 6 feet away from others whenever possible, and wear masks).

Employers should consider potential exposure risks and consider remote work options for employees who reside in an area with travel restrictions and work in the county. Employees who reside in an area with travel restrictions and continue to work in-person should be mindful of their activities in that area, and minimize their potential exposure.

**FAMILY LAW and JUVENILE COURT CALENDAR  
2021**

**May**

	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M
	3	4	5	6	7	10	11	12	13	14	17	18	19	20	21	24	25	26	27	28	31
<i>Liaison Judge Cartisano</i>	O	O	O	PFA	O	TR	TR	TR	PFA	TR	O	X	O	PFA	O	TR	TR	TR	PFA	TR	X
<i>Judge Mackrides</i>	TR	TR	TR	PFA	TR	O	O	O	PFA	O	TR	X	TR	PFA	TR	O	O	O	PFA	O	X
<i>Judge Rashid</i>	O	O	O	PFA	O	TR	TR	TR	PFA	TR	O	X	O	PFA	O	TR	TR	TR	PFA	TR	X
<i>Judge Lowe</i>	TR	O	TR	O	TR	TR	O	TR	O	TR	TR	X	TR	O	TR	TR	O	TR	O	TR	X
<i>Judge Klein</i>	TR	TR	TR	PFA	TR	O	O	O	PFA	O	TR	X	TR	PFA	TR	O	O	O	PFA	O	X
<i>Judge Puppio</i>	DR	TR	DR	PFA	O	DR	TR	DR	PFA	TR	DR	X	DR	PFA	O	DR	TR	DR	PFA	TR	X
<b>Motion Judge</b>	<i>Judge Mackrides</i>					<i>Judge Klein</i>					<i>Judge Cartisano</i>					<i>Judge Rashid</i>					

O = Office

TR = Non-Jury Trials & Hearings

PFA = Protection From Abuse Hearings

DR = Domestic Relations Hearings

**Note: Motion Judge - responsible for all 11:30AM and 2:30PM, Emergency PFAs and 72 Hour hearings on Monday and Thursday 1:30PM, and remain on duty until 4:30PM**

**FAMILY LAW and JUVENILE COURT CALENDAR  
2021**

June

	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W
	1	2	3	4	7	8	9	10	11	14	15	16	17	18	21	22	23	24	25	28	29	30
<i>Liaison Judge Cartisano</i>	O	O	PFA/DR	O	TR	TR	TR	PFA/DR	TR	O	O	O	PFA/DR	O	TR	TR	TR	PFA/DR	TR	O	O	O
<i>Judge Mackrides</i>	TR	TR	PFA/DR	TR	O	O	O	PFA/DR	O	TR	TR	TR	PFA/DR	TR	O	O	DR	PFA/DR	O	TR	TR	TR
<i>Judge Love</i>	O	O	PFA/DR	O	TR	TR	TR	PFA/DR	TR	O	O	O	PFA/DR	O	TR	TR	TR	PFA/DR	TR	O	O	O
<i>Judge Lowe</i>	O	O	O	O	O	O	O	O	O	TR	O	TR	O	TR	TR	O	TR	O	TR	TR	O	TR
<i>Judge Klein</i>	TR	TR	PFA/DR	TR	O	O	O	PFA/DR	O	TR	TR	TR	PFA/DR	TR	DR	O	O	PFA/DR	O	TR	TR	TR
<i>Judge Puppio</i>	O	DR	PFA/DR	O	DR	O	DR	PFA/DR	O	DR	O	DR	PFA/DR	O	O	O	O	O	O	DR	O	DR
<i>Motion Judge</i>	<i>Judge Cartisano</i>				<i>Judge Puppio</i>					<i>Judge Klein</i>					<i>Judge Mackrides</i>					<i>Judge Love</i>		

O = Office

TR = Non-Jury Trials & Hearings

PFA = Protection From Abuse Hearings

DR = Domestic Relations Hearings

\* Bench Bar will occur in September

Note: Motion Judge - responsible for all 11:30AM and 2:30PM, Emergency PFAs and 72 Hour hearings on Monday and Thursday 1:30PM, and remain on duty until 4:30PM



**FAMILY LAW and JUVENILE COURT CALENDAR  
2021**

**July**

	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F
	1	2	5	6	7	8	9	12	13	14	15	16	19	20	21	22	23	26	27	28	29	30
<i>Liaison Judge Cartisano</i>	PFA/DR	O	X	TR	TR	PFA/DR	TR	O	TR	O	PFA/DR	O	TR	TR	TR	PFA/DR	TR	DR	O	O	PFA/DR	O
<i>Judge Mackrides</i>	PFA/DR	TR	X	O	O	PFA/DR	O	TR	O	TR	PFA/DR	TR	O	O	O	PFA/DR	O	TR	TR	TR	PFA/DR	TR
<i>Judge Love</i>	PFA/DR	O	X	TR	TR	PFA/DR	TR	O	TR	O	PFA/DR	O	TR	TR	TR	PFA/DR	TR	O	O	DR	PFA/DR	O
<i>Judge Lowe</i>	O	TR	X	O	TR	O	TR	TR	O	TR	O	TR	TR	O	TR	O	TR	TR	O	TR	O	TR
<i>Judge Klein</i>	PFA/DR	TR	X	O	O	PFA/DR	O	TR	O	TR	PFA/DR	TR	O	O	O	PFA/DR	O	O	O	O	O	O
<i>Judge Puppio</i>	PFA	O	X	O	DR	PFA/DR	O	DR	O	DR	PFA/DR	O	DR	O	DR	PFA/DR	O	O	O	O	O	O
<b>Motion Judge</b>	<i>Judge Love</i>	<i>Judge Klein</i>					<i>Judge Puppio</i>					<i>Judge Cartisano</i>					<i>Judge Mackrides</i>					

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\* State Trial Judges Conference still unknown per AOPC

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**FAMILY LAW and JUVENILE COURT CALENDAR  
2021**

August

September

	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F
	2	3	4	5	6	9	10	11	12	13	16	17	18	19	20	23	24	25	26	27	30	31	1	2	3
<i>Liaison Judge Cartisano</i>	TR	TR	TR	PFA/DR	TR	O	O	O	PFA/DR	O	TR	TR	TR	PFA/DR	TR	O	O	O	O	O	TR	TR	O	O	O
<i>Judge Mackrides</i>	O	O	O	PFA/DR	O	TR	TR	TR	PFA/DR	TR	O	O	O	PFA/DR	O	TR	TR	TR	PFA/DR	TR	O	O	TR	TR	TR
<i>Judge Love</i>	TR	TR	TR	PFA/DR	TR	O	O	O	PFA/DR	O	TR	TR	TR	PFA/DR	TR	O	O	O	PFA/DR	O	TR	TR	O	TR	TR
<i>Judge Lowe</i>	TR	O	TR	O	TR	TR	O	TR	O	TR	TR	O	TR	O	TR	TR	O	O	O	TR	TR	O	TR	O	TR
<i>Judge Klein</i>	O	O	O	PFA/DR	O	TR	TR	TR	PFA/DR	TR	O	O	O	PFA/DR	O	TR	O	TR	PFA/DR	TR	O	O	TR	TR	TR
<i>Judge Puppio</i>	DR	O	DR	PFA/DR	O	DR	O	DR	PFA/DR	O	DR	O	DR	PFA/DR	O	DR	O	DR	PFA/DR	O	DR	O	DR	O	DR
<i>Motion Judge</i>	<i>Judge Klein</i>					<i>Judge Cartisano</i>					<i>Judge Love</i>					<i>Judge Puppio</i>					<i>Judge Mackrides</i>				

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