

**IN RE: ADMINISTRATIVE ORDER
CONCERNING THE MAGISTERIAL
DISTRICT JUDGE SYSTEM IN
RESPONSE TO THE DECLARATION
OF DISASTER EMERGENCY
IN BERKS COUNTY**

**: IN THE COURT OF COMMON PLEAS OF
: BERKS COUNTY, PENNSYLVANIA
:
: No. 20-3264
: Prothonotary
:**

ORDER

AND NOW, this 18th day of March 2020, it is hereby Ordered that Pursuant to President Judge Thomas G. Parisi's Administrative Order dated March 17, 2020, which set forth actions to provide for the safety of court personnel, court users, and the public during the COVID-19 pandemic, the Magisterial District Judge System will implement the following changes beginning immediately:

1. Magisterial District Courts will be open for essential services but closed to the general public.
2. Magisterial District Courts will not accept new civil or landlord/tenant filings beginning March 18 to and including March 31, 2020. Any civil or landlord-tenant hearings scheduled during this timeframe shall be continued.
3. Evictions, resulting from an Order for Possession, shall not be scheduled prior to April 14, 2020.
4. Magisterial District Courts may continue to accept summary citations. However, pursuant to Administrative Order CP-06-AD-15-2020, no summary warrant shall be issued in summary cases until further Order of the Court. Also, no person shall be taken into custody solely for a summary warrant pending further Order of the Court. Any summary hearings scheduled between March 18 to and including March 31, 2020 shall be continued.
5. Magisterial District Courts shall continue to accept criminal case filings and conduct preliminary arraignments. Preliminary hearings scheduled between March 18 to and including March 31, 2020 shall be continued for defendants who are free on bail. For incarcerated defendants, there shall be a stipulated hearing based on the Affidavit of Probable Cause. A stipulated hearing based on the Probable Cause alleviates the need for the defendant and witnesses to be present. The Commonwealth Attorney and/or Defense Counsel may attend by phone to present their case or submit it in writing by email to the district court's generic email address. If a defendant specifically requests a traditional preliminary hearing, the hearing will be rescheduled to a later date.
6. Cash payments for summary cases are not to be accepted beginning March 18 to and including March 31, 2020. Defendants may make credit card payments on-line (PAePay), credit card payments over the phone, or may mail a check to the district court.
7. Magisterial District Judges shall use advanced communication technology to conduct court proceedings where practicable, subject to constitutional restrictions.

Order 20-3264
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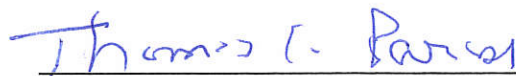


8. The Berks County Central Arraignment Court (BCCAC/Night Court) will operate as usual except that summary cases are no longer considered an emergency matter to be brought before the BCCAC.

The Court will continue to monitor the situation with the COVID-19 pandemic and information regarding MDJS operations will be disseminated prior to March 31, 2020 for the period April 1 to April 14, 2020.

This Order is effective immediately and shall remain in effect until further Order of this Court.

BY THE COURT:



THOMAS G. PARISI,
PRESIDENT JUDGE

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