

IN THE COURT OF COMMON PLEAS OF BEAVER COUNTY
P E N N S Y L V A N I A

IN RE: :
DECLARATION OF LIMITED :
JUDICIAL EMERGENCY IN THE : **Docket No: 10050 - 2020**
36th JUDICIAL DISTRICT :
: **34 WM 2020**
Re: CENTRAL COURT :

ADMINISTRATIVE ORDER

MANCINI, P.J.

DECEMBER 9, 2020

In conjunction with this Court's previous declaration of a temporary Judicial Emergency, it is hereby ORDERED that Criminal Preliminary Hearings at Central Court shall be conducted as follows from Thursday December 10, 2020 through Thursday December 31, 2020:

- 1) Preliminary Hearings for incarcerated defendants will be conducted by videoconference consistent with the existing protocol. No inmates shall be transferred from the jail.
- 2) The attorney for the Commonwealth on non-jail cases may direct that police officers, victims, and witnesses **not** appear at the courthouse **the first time the case is scheduled** but be available by phone to discuss necessary aspects of the case and authorize the Commonwealth attorney to acknowledge police / victim approval of any resolution on the ARD / Plea Memo.

The first time the case is scheduled the presiding Magisterial District Judge shall not dismiss the charges due to the failure of any police officer, witness, or victim to appear so long as such persons are available by telephone.

- 3) Counsel for defendant on non-jail cases may contact and communicate with defendant prior to the scheduled Preliminary Hearing date and secure a telephone number to communicate with defendant on the date of the hearing. Defendants are **not required** appear in person if available by phone **the first time the case is scheduled**.

The first time the case is scheduled the presiding Magisterial District Judge shall not issue an arrest warrant due to the failure of the defendant to appear so long as the defendant is available by telephone.

- 4) Defense counsel shall communicate all ARD / Plea offers to the defendant and shall secure authority from the defendant to sign all court-related documents generated at the Preliminary Hearing, including Waiver of Preliminary Hearing, bail forms and terms of any ARD / Plea agreement.
- 5) All proposed dispositions of any scheduled Central Court case during this time period will be conducted by telephone communication with defendant, defense counsel and the attorney for the Commonwealth before the Magisterial District Judge assigned to Central Court. A record shall be made by Digital Audio Recording of the proceeding. Defendants may enter Summary or Misdemeanor 3 pleas by telephone.
- 6) All Central Court cases in which a defendant is not represented by counsel will be continued administratively to a later date with notice provided to the defendant at his last listed address.
- 7) Attorneys for the defendant and for the Commonwealth are required to appear.

BY THE COURT,



BY THE COURT
P.J.
2008 DEC -9 A 9:55
RICHARD MAHONEY
RESIDENT JUDGE