

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

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

FOURTH EMERGENCY ORDER EXTENSION – FAMILY SECTION, AS AMENDED²

AND NOW, this 19th day of August, 2020, this court having previously declared in the 32nd judicial district (Delaware County) a judicial emergency and more recently once more extended that emergent declaration pursuant to such an order of the Pennsylvania Supreme Court sanctioning the same,³ 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 the family section directives of July 24, 2020,⁴ **SHALL** be **AMENDED** to reflect that *effective September 21, 2020*, the individual cases comprising any domestic relations hearing officer lists will be scheduled in fifteen (15) minute intervals per that which the attached protocol more further details.⁵

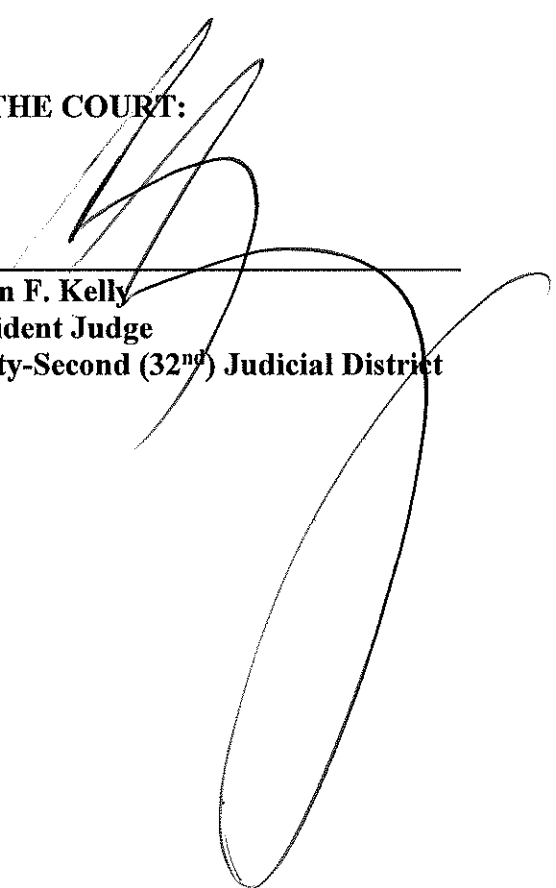
Except to the extent ordered above, this court's Fourth Emergency Order Extension – Family Section dated July 24, 2020,⁶ **SHALL** remain in full force and effect.

That directed above and/or via the appended protocols 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.

To the extent possible and practical under the material 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).⁷

BY THE COURT:



Kevin F. Kelly
President Judge
Thirty-Second (32nd) Judicial District

¹ 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; and Fourth Emergency Order Extension – Family Section dated July 24, 2020.

² *The amendments adopted by this order detail the listing of domestic relations (“DRO”) hearing officer matters increasing from its past scheduling limit of one (1) such case every half hour to those matters being set every fifteen (15) minutes, effective September 21, 2020. See Family Section Emergency Cancellations and Revised Scheduling Protocols dated August 19, 2020. (A copy of this amended protocol (August 19, 2020) is attached and wholly by reference incorporated. These changes to the immediate past family section directive (July 24, 2020) begin on page nine (9) of the appended updated protocol (August 19, 2020) and all the amendments for ease of reference are throughout underlined.) See also Fourth Emergency Order Extension – Family Section and Attached Protocols dated July 24, 2020.*

³ 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; and Fourth Emergency Declaration Extension dated July 8, 2020. See also Pa.R.J.A. No. 1952(B)(1)(2).

⁴ See Fourth Emergency Order Extension – Family Section and Attached Protocols dated July 24, 2020.

⁵ The additions to the immediate, previous family section operations directives (July 24, 2020) begin on page nine (9) of the appended protocol (August 19, 2020) and all such amendments for ease of reference are throughout underlined. See Family Section Emergency Cancellations and Revised Scheduling Protocols, *as Amended*, dated August 19, 2020. See also Pa.R.J.A. No. 1952(B)(2)(a)(d)(f)(g)(h)(k)(l)(n)(o)(q); *Philadelphia Inquirer*, May 13, 2020, Section B, p. 1 (“Infections great at Delco Jail – Jail: Nearly half of inmates tested has virus”; infection rate 50 times that of 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 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.”); and July 23, 2020, Section A, pp. 1, 9 (Delaware County’s seven (7) day average reported cases increased 220% since June 27, 2020.); July 29, 2020 Section A, pp. 1, 6 (Since June 27, 2020, the per day average of new cases has increased 379% growing from 16 to 75 daily.); 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 Wardel, a spokesperson from the state Health Department, said”); and August 14, 2020, Section A. 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.”).

⁶ See Fourth Emergency Order Extension – Family Section dated July 24, 2020.

⁷ 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 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,¹ 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,² while also being mindful of the necessity to once more provide with regularity for 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.³

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 (32nd 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 (PFA) may also attend all such schedulings. The complainant-victim can 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 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, **ANY** witness 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. The witness on entering the courthouse 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 media will create a pool of representative media members to attend *in-person* the court proceedings.)

Unless the presiding judge and/or 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); however, 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 officer 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.⁴ 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 domestic relations matters and/or PFA defendants – respondents, 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 court 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.

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 medical documented 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. The involved judge will for now allow the same, subject to applicable constitutional limitations, if any,⁵ or continue the listing to a future date should constitutional concerns dictate such and/or if he or she believes 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** initially 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 reach some mutually agreeable arrangements as the presiding and/or assigned judge may approve subject to that which the Legal Audio Visual Department can timely and reasonably arrange.

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).

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 and/or state directives, including but not limited to presently social distancing and/or the proper wearing of an appropriate mask.

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) with a deeper cleaning and/or sanitizing to be done on a regular basis and/or as otherwise needed.

The judges will provide 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.

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.

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

As is more fully described 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 twelve (12). The presiding judge may as he or she believes necessary to assure required social distancing and/or compliance with any other governmental directive 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) 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, 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 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, 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, as well as the District Court Administrator.

FAMILY SECTION

ANY type family pleadings, excepting domestic relations (“DRO”) filings as discussed below, may be lodged of-record with the Delaware County Office of Judicial Support either via the office's drop box located at the courthouse's front entrance and/or through mailing addressed as follows: Delaware County Judicial Support Office – 201 West Front Street, Media, PA 19063. Although *in-person* filing in the Office of Delaware County Judicial Support is now again available, the non-*in-person* lodging methods as currently safer for all concerned remain preferred. 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@pacses.com or traditional mail addressed as follows: Domestic Relations – P.O. Box 543, Media, Pennsylvania, 19063. Anyone needing assistance with any type and/or manner of lodging can contact the Delaware County Domestic Relations office at delawarecaseworker@pacses.com.

Although all types of family filings may once again 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.

Excepting the juvenile court, the other four (4) judges of the family section have been temporarily organized into two (2) subgroups as follows: Judges Cartisano and 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. (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 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*, through June and July 2020 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 (32nd) 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 once more 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.)

There will be for now no *in-person* appearance involving inmates of any county, state, and/or federal penal facility before the family courts, but rather **ALL** listings where a party and/or witness is for whatever reason incarcerated any such person will participate through some ACT means, assuming the prisoner party's agreement.⁶ **ALL** inmate

witnesses **MUST** for now appear via ACT. **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 developing southeastern Pennsylvania, including but not limited to Delaware County, would have then sufficiently abated to safely allow for the prisoner's custodial transportation in related *in-person* appearance before the court.⁷

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 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 follow dates: August 27, 2020; September 3, 2020; September 10, 2020; September 17, 2020; September 24, 2020; October 1, 2020; October 8, 2020; October 15, 2020; October 22, 2020; and October 29, 2020. 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 and/or state governmental directives about stemming COVID-19 spread.

ALL such emergency filings from the present through October 31, 2020, 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 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.⁸ 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 and/or state governmental guidance about countering the COVID-19 virus spread, including but not limited to currently the wearing of a mask and/or prompt surface area disinfecting subsequent.⁹

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.¹⁰ 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”) will continue conferencing by utilizing advanced communication technology (ACT), including but not limited to telephoning and/or email, conferences with non-custodial parents past listed for contempt proceedings to determine for such possible enforcement action current employment status. If not already done, after soon finishing reasonably addressing the inventory of these potential contempt matters, DRO personnel will promptly hold establishment conferences beginning with the earliest complaint lodging date and where the non-custodial parent is alleged to have an income source.

Effective July 13, 2020, *in-person* DRO hearing officer proceedings resumed. 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 technology) in lieu of *in-person* **MUST** notify involved Domestic Relations Office staff ***no less than three (3) business***

*days prior to the scheduled date*¹¹ 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 via email to DRO at delawarecountycourtliason@pacs.com.)

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: delawarecountycourtliason@pacs.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.

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. Effective September 21, 2020, the scheduling of individual cases will move from the current thirty (30) minute intervals to that of matters then being scheduled every fifteen (15) minutes.

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 delawarecountycourtliason@pacs.com.)

The court will continue making reasonable efforts to keep scheduling *ad hoc* lists of DRO appeals and/or contempt¹² while efforts remain ongoing between the family court and DRO upper management to develop a systematized plan for the DRO appeal and/or contempt matters being set in a weekly recurring manner.

The motion judge will continue to hold by video conferencing as needed seventy-two (72) hour Domestic Relations hearings.

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, effective July 22, 2020, and every Tuesday and Wednesday subsequent, equitable distribution hearing officer *in-person* proceedings as further detailed below will resume.

These *in-person* ED hearing officer listings will 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.¹³ 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 date¹⁴ 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.)

As reasonably soon as the court may list the same if not already done, the custody hearing officers from the present through and including October 31, 2020, 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 resume such *in-person* hearings **effective AUGUST 3, 2020**. 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**¹⁵ 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.

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 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.¹⁶

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.¹⁷

“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.¹⁸

¹ 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 great at Delco Jail – Jail: Nearly half of inmates tested has virus”; infection rate 50 times that of 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 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.”); and July 23, 2020, Section A, pp. 1, 9 (Delaware County’s seven (7) day average reported cases increased 220% since June 27, 2020.); July 29, 2020 Section A, pp. 1, 6 (Since June 27, 2020, the per day average of new cases has increased 379% growing from 16 to 75 daily.); 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 Wardel, a spokesperson from the state Health Department, said”); and August 14, 2020, Section A. 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.”).

² 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.

³ 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 under separate emergency orders of May 27, 2020, and as continued through subsequent amended and/or additional, emergent orders for both the civil and criminal sections had extended the cancellation 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; Emergency Order – Criminal Section, *as Amended*, dated June 30, 2020; and Emergency Order – Criminal Section, *as Amended*, dated July 8, 2020. The current civil section emergent order (July 22, 2020) continues this constrained cancellation of jury trials and jury duty through October 31, 2020, as does the yet in effect Second Emergency Order Extension – Criminal Section (July 24, 2020).) See Fourth Emergency Order Extension – Civil Section dated July 22, 2020; and Second Emergency Order Extension – Criminal Section dated July 24, 2020.

⁴ 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. See Attached Chester County Health Department Workforce Screening dated August 17, 2020.

⁵ 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).

⁶ Under the Second Emergency Order Extension – Criminal Section, some limited inmate *in-person* appearances before the criminal courts will begin effective September 14, 2020. See Second Emergency Order Extension – Criminal Section dated July 24, 2020. As can be more informedly determined from those actual experiences, a reasoned decision will subsequently be made about expanding the custodial transportation of prisoners for purposes other than criminal matters and/or from penal institutions in addition to the George W. Hill Correctional Facility. 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 population at large.”)

⁷ See Order dated 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)(a)(d)(h)(k)(q). See also *Philadelphia Inquirer*, May 13, 2020, Section B, p. 1 (“Infections great at Delco Jail – Jail: Nearly half of inmates tested has virus”; infection rate 50 times that of 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 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.”); and July 23, 2020, Section A, pp. 1, 9 (Delaware County’s seven (7) day average reported cases increased 220% since June 27, 2020.); July 29, 2020 Section A, pp. 1, 6 (Since June 27, 2020,

the per day average of new cases has increased 379% growing from 16 to 75 daily.); 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 Wardel, a spokesperson from the state Health Department, said”); and August 14, 2020, Section A. 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.”).

⁸ 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.

⁹ See Orders dated March 16, 2020, p. 2; 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.

¹⁰ See Attached *Interim* Family Calendar.

¹¹ See Family Section Emergency Cancellations and Revised Scheduling Protocols dated August 21, 2020, pp. 3-4.

¹² For just the week commencing May 26, 2020, the family section judges assisted by involved DRO personnel listed and were otherwise prepared to then hear over one hundred (100) DRO appeals. Some seventy (70%) percent of these then listed cases reached a disposition.

¹³ 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; and Fourth Emergency Declaration dated July 8, 2020.

¹⁴ See Family Section Emergency Cancellations and Revised Scheduling Protocols dated August 21, 2020, pp. 3-4.

¹⁵ See Family Section Emergency Cancellations and Revised Scheduling Protocols dated August 21, 2020, pp. 3-4.

¹⁶ See Family Section Emergency Cancellations and Revised Scheduling Protocols dated August 21, 2020, pp. 1, 3-4.

¹⁷ 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).

¹⁸ 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

August 17, 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:**

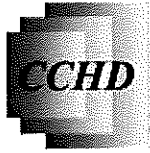
- Take temperature with temporal or forehead touchless thermometer
- Ask: Are you taking any medication to treat or suppress a fever?
- Ask: Are you currently waiting for a COVID-19 test result for any reason other than a required routine screening for work, a health procedure, or prior to travel?
- 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 to an area with travel restrictions, as identified by the PA Department of Health or the Centers for Disease Control and Prevention (CDC)?
- Ask: Are you currently experiencing any of the following symptoms?

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

"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
#2 – COVID-19 Symptoms	Yes	Employee should be tested for COVID-19. Individuals awaiting test results should be excluded from workplace. ➤ If test result is <u>negative</u> , return to work based on clinical criteria for alternative diagnosis. If no alternative diagnosis



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Scenario	Exclusion from Workplace	Return to Work Guidance
		is known, return to work 24 hours after symptoms are improved. ➤ If test result is <u>positive</u>, follow return to work guidance for scenario #3. If individual is not tested, follow return to work guidance for scenario #3 (assume employee is positive).
#3 – Positive COVID-19 PCR Test <u>with</u> Symptoms	Yes	➤ 24 hours with no fever and ➤ improvement in symptoms and ➤ 10 days since symptoms first appeared.
#4 – Positive COVID-19 PCR Test <u>without</u> Symptoms	Yes	10 days after the PCR test was collected. ➤ If symptoms develop during 10 days, follow return to work guidance for scenario #3.
#5 – Close Contact <u>with</u> Symptoms	Yes	Employee should be tested for COVID-19. Individuals awaiting test results should be excluded from work. ➤ 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. ➤ If test result is <u>positive</u>, follow return to work guidance for scenario #3. If individual is not tested, return to work 14 days after last exposure to the person with COVID-19, and symptoms have resolved.
#6 – Close Contact of COVID-19 <u>without</u> Symptoms	Yes	14 days after the date of last exposure to the person with COVID-19. ➤ If symptoms develop during 14 days, follow return to work guidance for scenario #5. <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 – Travel History Positive	Yes	14 days after return from location under travel restrictions. <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>



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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, or if they are a close contact of a case. 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

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.



Chester County Health Department
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Temperature Assessment:

The temperature considered a fever during screening differs based on how temperature is taken. Any fever reported by an employee, even if no thermometer was used, is considered symptomatic.

Mode	Temperature for fever
Walk through scanner	97.5°F or higher
Axillary and temporal	99.5°F or higher
Oral	100.0°F or higher

Travel:

If an employee travels to an area with travel restrictions, as identified by the PA Department of Health or the Centers for Disease Control and Prevention (CDC), that individual needs to quarantine for 14 days upon return to Pennsylvania. If symptoms develop during that time, follow above exclusion and return to work criteria. Employees should notify their supervisor of travel plans.

If a location is removed from the travel restrictions list, employees who traveled there during the time that the location had restrictions, were there during a time that case counts and transmission were still of concern; therefore, those individuals should complete their quarantine. Anyone traveling to a location at the time or after it was removed from the list, does not need to quarantine upon return.

Anyone who has traveled to an area with travel restrictions 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).

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.

If it is not possible to exclude workers at life-sustaining businesses who have a positive travel history, then modify working conditions to minimize the risk they would infect others. Examples include:

- Ensure use of source control personal protective equipment (PPE) and meticulous environmental cleaning.



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August 17, 2020

- Exclusion from contact with coworkers or clients, or at least exclusion from contact with vulnerable coworkers or clients, such as elderly or those with chronic conditions.
- Exclude from lunch/break rooms where they would have a mask off around others.

August

O = Office	TR = Non-Jury Trials & Hearings	PFA = Protection From Abuse Hearings
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2020

September

PFA = Protection From Abuse Hearings

TR = Non-Jury Trials & Hearings

O = Office

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October

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PFA = Protection From Abuse Hearings

TR = Non-Jury Trials & Hearings

O = Office

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November

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PFA = Protection From Abuse Hearings

TR = Non-Jury Trials & Hearings

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