

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

IN RE: 32nd JUDICIAL DISTRICT : PA SUPREME COURT NO. 30 MM 2020
: :
Extension of Magisterial District :
*Courts' Limited Operations*¹ : DELAWARE COUNTY NO. 5120-17

**THIRD EMERGENCY ORDER EXTENSION and AMENDMENTS – MAGISTERIAL
DISTRICT COURT OPERATIONS**

AND NOW, this 1st day of June, 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,² 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 Magisterial District Court Administrator that the following magisterial district court cancelations, revised schedulings and/or amended operational protocols otherwise **SHALL** become **EFFECTIVE IMMEDIATELY** and continue through and including **JULY 31, 2020**.³

While **ALL** magisterial district court facilities in Delaware County (32nd judicial district) are constrained to remain closed for any *in-person* public business pending the finalizing of ongoing plans necessary to properly assuring the health and safety of the magisterial district judges, such judicial personnel and those court users, as well as the public generally until this court's further order,⁴ each magisterial district court **SHALL** again be sufficiently staffed on or before June 8, 2020, to allow for the timely answering during regular business hours of public telephone and/or mail inquiries.⁵

Magisterial District Judges in the 32nd judicial district (Delaware County) **SHALL** between the present and July 31, 2020, be available to conduct preliminary arraignments as the attached schedule directs.⁶ **ALL** criminal preliminary arraignments **SHALL** be held via video conferencing **ONLY** and relatedly **NO** arrestees and/or prisoners **SHALL** be permitted in and/or about **ANY** 32nd judicial district (Delaware County) magisterial district court facility.⁷

Magisterial District Judges in Delaware County (32nd judicial district) **SHALL** as of the present until and including July 31, 2020, be available after hours, on weekends and/or holidays, as well as any such other times this court may subsequently direct, to review and decide per the attached coverage schedule emergency protection from abuse applications.⁸ **ALL** such emergent protection abuse requests **SHALL** be addressed by the covering magisterial district judge through some type of advanced communication technology, including but not limited to video conferencing, FaceTime, Skype, Polycom, Microsoft Teams, Zoom, *etc.*, and while a technological means allowing for both visual and audio capabilities is preferred, telephonic or audio only emergency protection from abuse hearings **SHALL** be **PERMITTED** should a combined audio and visual connection between the applicant and Magisterial District Judge not be reasonably available.⁹

Beyond **ALL** emergent protection from abuse requests being received by the covering magisterial district judge through some means of advanced communication technology, the balance of the attached Temporary Protocol for Emergency PFA Applications ... **SHALL** otherwise be followed, including but not limited to as agreed by, *inter alia*, the Delaware County Police Chiefs Association that salient law enforcement agencies will facilitate needed contact between a protection from abuse applicant and the on duty Magisterial District Judge, promptly assist in providing the petitioner a copy of the protective order the magisterial district court may issue, and/or timely make efforts to serve the named respondent with the emergent order of protection.¹⁰

Magisterial District Judges **SHALL** also be reasonably available as requested by law enforcement personnel to review and process both criminal complaints as well as arrest and/or search warrant applications.¹¹

Recognizing relisting such next appropriate proceedings addressing certain minor matters pending before this judicial district's (32nd – Delaware County) magisterial district courts will expedite the release of persons jailed at the George W. Hill Correctional Facility (Delaware County Prison) and/or a state correctional institution who are otherwise eligible for discharge from custody, but for some summary traffic and/or non-traffic matters, the administrative office of magisterial district courts on being notified about any such cases by a penal authority **SHALL** administratively rescind **PROMPTLY** any warrant and/or detainer stemming from an open summary traffic and/or non-traffic matter, as well as related to the payment of fines and/or costs attendant to a summary traffic and/or non-traffic case, and schedule a hearing regarding the same before the magisterial district court of jurisdiction on a date and time certain subsequent to September 1, 2020.¹²

The office of the magisterial district court administrator **SHALL** cause notices to be timely displayed visibly about every magisterial district court facility within the 32nd judicial district (Delaware County) advising the public that these courts will remain closed for *in-person*, public business through and including July 31, 2020, or this court's subsequent order, whichever is earlier, and notifying the public how fines, costs and/or restitution may be paid online, as well as about the online posting of bail funds.

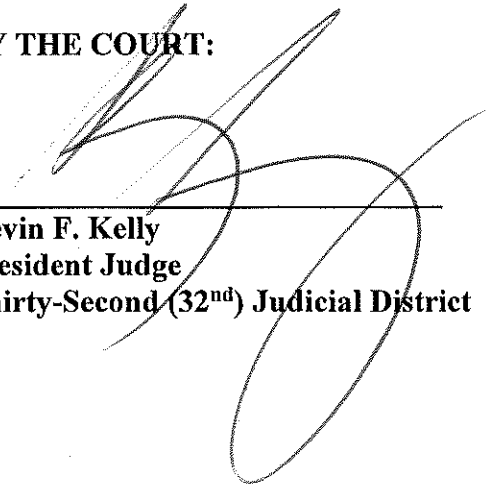
The magisterial district court administrator and/or his staff designees **SHALL** in consultation with the Delaware County District Attorney's Office, as well as the Office of the Delaware County Public Defender and private defense bar, to continue to manage and regularly list an advanced communication technology preliminary hearings pursuant to that past developed protocol, subject to

applicable constitutional limitations, if any,¹³ giving first scheduling priority to those imprisoned accused.¹⁴ The magisterial district court administrator **SHALL** also work to finalize in discussions with the Delaware County District Attorney's Office, as well as the Office of the Delaware County Public Defender, expanding the current preliminary hearing protocol to allow for such *in-person* proceedings and/or a hybrid of both advanced communication technology and *in-person* appearances for preliminary hearing purposes with the same to be completed and to a reasonable extent implemented no later than June 30, 2020.¹⁵

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.

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).¹⁶

BY THE COURT:



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

¹ See Emergency Order – Magisterial District Court Operations dated March 18, 2020; Emergency Order Extension – Magisterial District Court Operations dated April 9, 2020; and Second Emergency Order Extension – Magisterial District Court Operations dated May 4, 2020.

² See Pa.R.J.A. No. 1952(B)(1)(2). See also 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; and Third Emergency Declaration Extension dated May 27, 2020.

³ See *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”); and May 22, 2020, Section A, pp. 1, 9 (“Delaware County trails Philadelphia and the other counties in flattening the curve of new cases.”). See also Orders dated April 28, 2020, pp. 2-5 and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket; and Pa.R.J.A. No. 1952(B)(2)(a)(d)(f)(g)(h)(k)(l)(n)(o)(q).

⁴ The Special Court Judges Association of Pennsylvania (Magisterial District Judges) has recommended through the Administrative Office of Pennsylvania Courts (AOPC), *inter alia*, that each magisterial district court facility and its staff have adequate personal protective equipment, be sanitized at least weekly by a professional cleaning company, and that plexiglass dividers be installed where appropriate. The association has as well urged that contemporaneous with any public opening of these court facilities and continuing for at least a reasonable time subsequent a uniformed law enforcement presence be arranged and man the entrances to assure orderly operations, general safety, and the wearing of face masks, social distancing and/or all other in effect COVID-19 mitigation spread governmental directives. This court since just after receipt of these recommendations from AOPC has directly and through the magisterial district administrator submitted to the county such proposals and continues to work with those officials to secure these needed supplies, services and law enforcement personnel. 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. 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”); and May 22, 2020, Section A, pp. 1, 9 (“Delaware County trails Philadelphia and the other counties in flattening the curve of new cases.”). See generally Pa.R.J.A. No. 1952(A)(B).

⁵ See Orders dated April 1, 2020, p. 2; April 28, 2020, pp. 1-3; 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)(a)(d)(h)(q).

⁶ See Delaware County MDJ Coverage Schedule. A copy of this schedule is attached and wholly by reference incorporated. See also Pa.R.J.A. No. 1952(B)(2)(d)(f)(g)(h)(q).

⁷ See Orders dated March 16, 2020, p. 2; March 18, 2020, pp. 4-5, 7-8; April 1, 2020, pp. 2, 4, 5; April 28, 2020, pp. 1-3, 4-5; 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)(a)(c)(d)(f)(g)(h)(k)(n)(q). Attached and wholly incorporated by reference is the previously implemented Protocol for Video Arraignments with Temporary Booking Facility.

⁸ See Attached Delaware County MDJ Coverage Schedule. See also Pa.R.J.A. No. 1952(B)(2)(d)(f)(g)(h)(q); Orders dated March 16, 2020, p. 3; March 18, 2020, pp. 6-7; April 1, 2020, pp. 4-5; April 28, 2020, pp. 1-3, 4-5, 7-8; and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket.

⁹ 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; 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)(f)(g)(h)(q) and attached Delaware County MDJ Coverage Schedule.

¹⁰ See Temporary Protocol for Emergency PFA Application During COVID-19 Emergency. A copy of this interim protocol is attached and wholly by reference incorporated. See also Orders dated March 16, 2020, pp. 2-3; March 18, 2020, pp. 4, 6-8; April 1, 2020, pp. 4-5; April 28, 2020, pp. 4-5, 7-8; and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket; and Pa.R.J.A. No. 1952(B)(2)(d)(f)(k)(q).

¹¹ See Order dated April 28, 2020, p. 8; and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket.

¹² See *Petition of the Pennsylvania Prison Society ...*, Pennsylvania Supreme Court, No. 70 MM 2020 – Order dated April 3, 2020; and Orders dated April 28, 2020, pp. 6-8 and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, No. 30 MM 2020, Judicial Administration Docket. See also Pa.R.J.A. No. 1952(B)(2)(d)(g)(h)(k)(l)(q).

¹³ See Orders dated 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).

¹⁴ See Order dated April 28, 2020, pp. 2-5, 8 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket. See also Pa.R.J.A. No. 1952(B)(2)(d)(h)(k)(q) and Order dated May 1, 2020 – No. MD 1545-17 (As part of developing this preliminary hearing protocol, this court under that order (May 1, 2020 – No. MD 1545-17) has temporarily assigned each magisterial district judge in Delaware County (32nd judicial district) to additionally act as the “issuing authority” in all other of the county’s magisterial districts so as to appropriately promote and realize throughout this public health crisis’s balance economies of scale and related regionalized efficiencies, along with utilizing those magisterial district court facilities allowing for as best as possible 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 the wearing of a mask and/or prompt surface area disinfecting subsequent.). A copy of this interim assignment order (May 1, 2020) is attached and wholly by reference incorporated.

¹⁵ See Order dated April 28, 2020, pp. 2-5, 8 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket. See also Pa.R.J.A. No. 1952(B)(2)(c)(d)(f)(h)(k)(q).

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

Day Date	Start Time	End Time	Video Coverage MDJ
Thursday, June 04, 2020	9:00 AM	4:00 PM	MDJ Davis
Thursday, June 04, 2020	6:00 PM	9:00PM	MDJ Mattox
Friday, June 05, 2020	9:00 AM	4:00 PM	MDJ Holefelder
Friday, June 05, 2020	6:00 PM	9:00PM	MDJ Roberts
Saturday, June 06, 2020	9:00 AM	Noon	MDJ Goldberg
Saturday, June 06, 2020	6:00 PM	9:00PM	MDJ Krull
Sunday, June 07, 2020	9:00 AM	Noon	MDJ Strohl
Sunday, June 07, 2020	6:00 PM	9:00PM	MDJ Davis
Monday, June 08, 2020	9:00 AM	4:00 PM	MDJ Burns
Monday, June 08, 2020	6:00 PM	9:00PM	MDJ Goldberg
Tuesday, June 09, 2020	9:00 AM	4:00 PM	MDJ Forbes
Tuesday, June 09, 2020	6:00 PM	9:00PM	MDJ Lippart
Wednesday, June 10, 2020	9:00 AM	4:00 PM	MDJ Hunter
Wednesday, June 10, 2020	6:00 PM	9:00PM	MDJ Strohl
Thursday, June 11, 2020	9:00 AM	4:00 PM	MDJ Lacianca
Thursday, June 11, 2020	6:00 PM	9:00PM	MDJ Burns
Friday, June 12, 2020	9:00 AM	4:00 PM	MDJ Radano
Friday, June 12, 2020	6:00 PM	9:00PM	MDJ Forbes
Saturday, June 13, 2020	9:00 AM	Noon	MDJ Lippart
Saturday, June 13, 2020	6:00 PM	9:00PM	MDJ Hunter
Sunday, June 14, 2020	9:00 AM	Noon	MDJ Williams
Sunday, June 14, 2020	6:00 PM	9:00PM	MDJ Lacianca
Monday, June 15, 2020	9:00 AM	4:00 PM	MDJ Micozzie-Aguirre
Monday, June 15, 2020	6:00 PM	9:00PM	MDJ Williams
Tuesday, June 16, 2020	9:00 AM	4:00 PM	MDJ D'Agostino
Tuesday, June 16, 2020	6:00 PM	9:00PM	MDJ Griffin
Wednesday, June 17, 2020	9:00 AM	4:00 PM	MDJ Karapalides
Wednesday, June 17, 2020	6:00 PM	9:00PM	MDJ Radano

Day Date	Start Time	End Time	Video Coverage MDJ
Thursday, June 18, 2020	9:00 AM	4:00 PM	MDJ Griffin
Thursday, June 18, 2020	6:00 PM	9:00PM	MDJ Holfelder
Friday, June 19, 2020	9:00 AM	4:00 PM	MDJ Merkins
Friday, June 19, 2020	6:00 PM	9:00PM	MDJ D'Agostino
Saturday, June 20, 2020	9:00 AM	Noon	MDJ Vann
Saturday, June 20, 2020	6:00 PM	9:00PM	MDJ Karapalides
Sunday, June 21, 2020	9:00 AM	Noon	MDJ Stone
Sunday, June 21, 2020	6:00 PM	9:00PM	MDJ Sandone
Monday, June 22, 2020	9:00 AM	4:00PM	MDJ Lang
Monday, June 22, 2020	6:00 PM	9:00PM	MDJ Stone
Tuesday, June 23, 2020	9:00 AM	4:00 PM	MDJ Sandone
Tuesday, June 23, 2020	6:00 PM	9:00PM	MDJ Vann
Wednesday, June 24, 2020	9:00 AM	4:00 PM	MDJ Burke
Wednesday, June 24, 2020	6:00 PM	9:00PM	MDJ Merkins
Thursday, June 25, 2020	9:00 AM	4:00 PM	MDJ Turner
Thursday, June 25, 2020	6:00 PM	9:00PM	MDJ Lang
Friday, June 26, 2020	9:00 AM	4:00 PM	MDJ Berardocco
Friday, June 26, 2020	6:00 PM	9:00PM	MDJ Burke
Saturday, June 27, 2020	9:00 AM	Noon	MDJ Grimes
Saturday, June 27, 2020	6:00 PM	9:00PM	MDJ Micozzie-Aguirre
Sunday, June 28, 2020	9:00 AM	Noon	Sr. MDJ Nistico
Sunday, June 28, 2020	6:00 PM	9:00PM	MDJ Turner
Monday, June 29, 2020	9:00 AM	4:00 PM	MDJ Mattox
Monday, June 29, 2020	6:00 PM	9:00PM	MDJ Berardocco
Tuesday, June 30, 2020	9:00 AM	4:00 PM	MDJ Roberts
Tuesday, June 30, 2020	6:00 PM	9:00PM	MDJ Grimes
Wednesday, July 01, 2020	9:00 AM	4:00 PM	MDJ Krull
Wednesday, July 01, 2020	6:00 PM	9:00PM	Sr. MDJ Nistico



**COUNTY OF DELAWARE
ADMINISTRATIVE OFFICE
FOR
MAGISTERIAL DISTRICT JUDGES**

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April 8, 2020

Protocol For Video Arraignments With Temporary Central Booking Facility

1. As previously noted, in order to accomplish the Video Arraignments with the Magisterial District Courts, the following will be required at the Temporary Central Booking Facility (TCBF) during the COVID19 Emergency:
 - A. The computer with Polycom as arranged previously.
 - B. A fax machine, one was in the area when we toured the proposed location previously.
A copier, the same piece of equipment which is the fax machine which was in the area when we toured the proposed location previously
 - C. The officers managing the TCBF will need to have a box designated for the paperwork the MDJ Admin Office will pick up routinely as described below. An empty copier paper box would be sufficient.
 - D. A computer with internet access in the TCBF (OTHER THAN THE VIDEO COMPUTER) should be available for defendants to use if they are able to post bail with a credit or debit card (see below).
2. Each day during the COVID19 Emergency the MDJ Admin Office will provide the TCBF and the Bail Office with the location, contact information and times the Video Magisterial District Judge(s) will be available for the following day, as per schedule approved by President Judge Kelly.
3. Each day the Bail Office will also contact the TCBF with contact information for their on duty Bail Interviewer(s).

For each defendant dropped off at the TCBF, the officers in the TCBF need to do the following:

- 1.) Complete, or receive from police, the Criminal Complaint, Affidavit of Probable Cause and NCIC prior records check for each defendant.
- 2.) Fax the Criminal Complaint, Affidavit of Probable Cause and NCIC prior record check to both the appropriate MDJ Court and the Bail Office.
- 3.) Contact the Bail Office to arrange for a bail interview by video.

- 4.) Contact the MDJ Court to schedule the Video Arraignment for a time AFTER the Bail Interview.
- 5.) Have the defendant Bail Interviewed by Video with the Bail Office. NOTE: The Bail Office will fax the Bail recommendation directly to the MDJ Court after the Bail Interview.
- 6.) Give the Defendant the following, which will be faxed to the TCBF by the MDJ Court:
 - a. Copy of the criminal complaint (which was signed by the MDJ),
 - b. Public Defenders Notice, and
 - c. Hearing Notice for the Defendants Next court appearance.
- 7.) Have the defendant arraigned by video with the MDJ.
- 8.) WAIT. After the Judge finishes the Video arraignment, the court will prepare the Bail Packet and fax it to the TCBF. The Bail Packet includes:
 - a. Conditions to be released on bail (defendant must sign)
 - b. Additional Requirements to remain released on bail (defendant must sign)
 - c. Bail bond (defendant must sign)
 - d. Surety if applicable (defendant must sign)
 - e. The commitment Form if the Defendant will be committed
- 9.) When the Bail Packet is received, give it to the defendant and have the defendant sign the Bail Packet forms. The Bail packet forms needing the defendant's signature are:
 - a) Conditions to be released on bail (defendant must sign)
 - b) Additional Requirements to remain released on bail (defendant must sign)
 - c) Bail bond (defendant must sign)
 - d) Surety if applicable (defendant must sign)
- 10.) Make copies of all of the signed Bail Packet Forms. One copy if the defendant is being released, two copies if the defendant is being committed.
- 11.) Place the original signed copies of the Bail Packet Forms in a designated box to be collected by MDJ Admin.
- 12.) Give the defendant a copy of the Bail Packet Forms
- 13.) If the defendant is being committed, give copies of the following to the transporting officers to give to the prison intake officers:
 - a) A copy of the entire Bail Packet with the defendant's signatures
 - b) A copy of the commitment
 - c) A copy of the criminal complaint signed by the MDJ
- 14.) The Arresting Department should bring the Original Complaint and Affidavit of Probable Cause to the TCBF within two business days of each arrest and it should be placed in the box designated for the MDJ Admin Office.
- 15.) The MDJ Admin Office will arrange to pick up box designated for the MDJ Admin Office from the TCBF every two business days, or more often if needed.

NOTES

If the officers at the TCBF have any questions about the paperwork they should call the clerk at the MDJ Court for guidance.

Original Criminal Complaints

- If the original Criminal Complaint is at the TCBF it should be paper clipped to the Bail Packet Forms signed by the defendant and placed in the designated box to be collected by MDJ Admin.
- If the original Criminal Complaint is at the Police Station of the arresting officer(s) it should be brought to the TCBF within two days for eventual pick or delivery to MDJ Admin.

Posting Bail

Posting of Bail at the TCBF is limited to credit card or debit card over the internet. A separate computer has been dedicated in the TCBF for this purpose.

If the defendant has a credit card or debit card in his/her possession he/she could post bail online at:

<https://ujportal.pacourts.us/Bail/Default.aspx> Or Google "PAePay Bail"

The MDJ Court can verify receipt and confirm release usually in less than two minutes after a successful online transaction.



**COUNTY OF DELAWARE
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April 8, 2020

Temporary Protocol for Emergency PFA Applications
During COVID-19 Emergency

In order to provide continual and appropriate Judicial review of Emergency Protection of Abuse Applications during the COVID-19 Judicial Emergency, a schedule has been crafted to provide for such coverage by Magisterial District Judges (MDJs) whenever the Court of Common Pleas is closed. MDJs will provide Emergency PFA coverage after 3:00 pm on normal business days or anytime on Saturdays, Sundays or holidays. MDJs will also provide such coverage if exigent circumstances require any additional closures of the Court of Common pleas.

During this Emergency, the following Protocol shall be followed, as agreed upon by the Fraternal Order of Police, the Police Chiefs Association and President Judge Kevin F. Kelly:

1. When contacted by an individual seeking an Emergency PFA, the local police or Radio Room should get the individual's name and phone number from the individual and tell them to expect to be contact by an MDJ or their staff.
2. The police or Radio Room shall contact the assigned MDJ providing coverage for all of Delaware County as per the attached schedule and provide them with the applicant's contact information.
3. The MDJ shall contact the applicant using advanced telecommunications technology. Technologies which provide both the visual and audio capabilities are preferred, such as FaceTime, Skype, Polycom, Zoom, etc. However, during the aforesaid Emergency audio only (telephone) hearings are permitted if an audio and visual connection cannot be accomplished.
4. If the MDJ determines that the Emergency PFA should be granted, the MDJ or staff shall prepare the appropriate Order at the Magisterial District Court and fax it to the police where it is to be served on the defendant.
5. The MDJ or staff shall also contact the police covering the location of the victim and fax a copy of the Emergency PFA Order to them for the victim to pick up.
6. Upon receiving the Order from the MDJ Court for a victim in their jurisdiction, the police shall contact the victim to arrange for the victim to get a copy of the Order in a contactless manner (For example, the police could leave the paperwork in specific place upon the arrival of the victim for pick up without contact and without exposure to rain or being blown away by the wind. The police could also drop it off at the victim's residence in a similar contactless manner if they choose to do so).