

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

IN RE: 32nd JUDICIAL DISTRICT : PA SUPREME COURT NO. 30 MM 2020
:
Postponement of Community :
Service Sentencing Conditions :
*Extended*¹ : DELAWARE COUNTY NO. 5120-17

**THIRD ORDER EXTENDING EMERGENCY POSTPONEMENT OF COMMUNITY
SERVICE SENTENCING CONDITIONS**

AND NOW, this 27th day of May, 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 criminal liaison judge as well as on the continued agreement of the Delaware County District Attorney's Office that **EFFECTIVE IMMEDIATELY** and continuing through and including **JULY 31, 2020**, **ALL** community service sentencing conditions presently, past and/or subsequently imposed by the criminal courts, domestic relations courts, and/or the magisterial district courts of Delaware County **SHALL** be **POSTPONED**.³

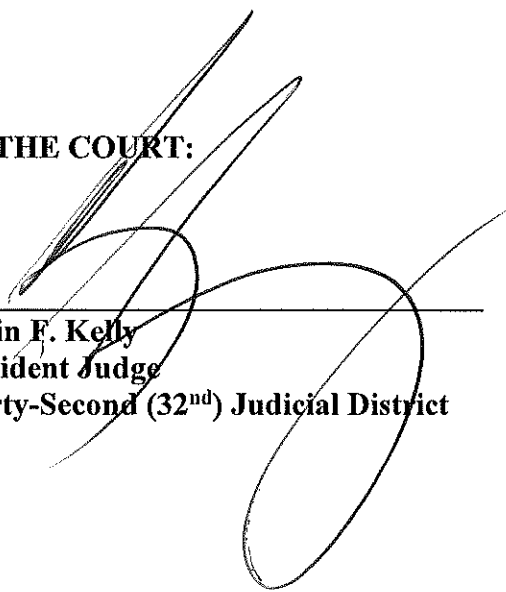
The postponement directed above of defendants reporting for community service **SHALL NOT** reduce the number of such hours to be performed, but rather just temporarily delay when a defendant preforms his or her mandated community service hours.

Except to the extent ordered above, **ALL** other terms and/or conditions of a defendant's past imposed sentence **SHALL REMAIN** otherwise in full force and effect, including but not limited to reporting as required to the Delaware County Adult Probation and Parole Office.

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).⁴

BY THE COURT:



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

¹ See Emergency Order Postponing Community Service dated March 18, 2020; Order Extending Community Service Postponement dated April 7, 2020; and Second Order Extending Emergency Community Service Postponement dated April 29, 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; March 24, 2020; April 1, 2020, pp. 1-3; and April 28, 2020, pp. 2-5 – 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 16, 2020, Section A, pp. 1,4 (“Over the 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, 6 (“Delaware County trails Philadelphia and the other collar counties in flattening the curve of new cases.”). See also Pa.R.J.A. No. 1952(B)(2)(h)(q). See generally Pa.R.J.A. No. 1952(A)(B).

⁴ See Orders dated March 16, 2020, p. 2 and April 1, 2020, pp. 2-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket.