

IN THE SUPREME COURT OF PENNSYLVANIA

Docket No. 21 EM 2020

In Re: First Judicial District of Pennsylvania's Request Pursuant to Pa.R.J.A. 1952(B)(2)(m) to Temporarily Suspend or Modify Statewide Court Rules Regarding Prompt Trials and Utilization of Advanced Communication Technology

AND NOW, this 16 day of August, 2021, Idee C. Fox, President Judge and Chair of the Administrative Governing Board of the First Judicial District of Pennsylvania, hereby requests the temporary suspension or modification of statewide rules, by Order of the Supreme Court pursuant to Pa.R.J.A. 1952(B)(2)(m) as follows:

1. Request for Order authorizing the continued temporary suspension of
 - a. Pennsylvania Rule of Criminal Procedure No. 600 to October 31, 2021, so that the time period between March 17, 2020 and October 31, 2021 shall be excluded from time calculations, and shall not be attributed to the Commonwealth of to the Defendant.
 - b. Any state and local procedural rules which restrict, directly or indirectly, the use of advanced communication technology ("ACT"), to allow continued use of advanced communication technology ACT. All judges and staff will continue to preside in the courtroom and/OR court facilities.
2. The circumstances necessitating this Request include the following:
 - a. Due to the recent surge in COVID-19 cases, the CDC has classified Philadelphia County as a "high" transmission zone. There is no indication that the present rate of increase in cases will abate in the near term.

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SUPREME COURT
EASTERN DISTRICT

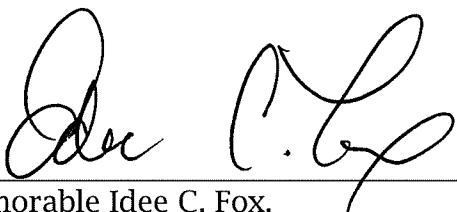
- b. During the pandemic, the First Judicial District remained operational and has continued to expand operations. The ability to suspend the operation of Pa.R.Crim.P. 600, as permitted by the Supreme Court during the period of the declared judicial emergency, has allowed the FJD to manage criminal matters in such a manner that both maximized the safety of all participants and moved cases toward resolution as soon as practicable.
- c. During the pandemic, the First Judicial District has prioritized cases with in-custody Defendants, and through the use of ACT has handled those matters safely and expeditiously. The focus has now shifted to Bail Cases. The use of ACT allows the First Judicial District to process those cases as efficiently as possible while maintaining the safety of all participants.
- d. The use of ACT allows the First Judicial District to continue to process matters safely and expeditiously for Defendants incarcerated in Philadelphia and out-of-county facilities. The use of ACT will enable the resolution of matters in which Defendant is incarcerated and cannot be transported, avoid delay in the resolution of all matters and allow time for the court to effectively and efficiently continue the continued expansion of operations in conjunction with all criminal justice partners.
- e. The use of ACT has been favorably received by our justice partners in that it has proven efficient and effective in allowing the courts of the First Judicial District to move criminal matters through the system. The continued use of ACT will allow for further prompt resolution of cases..
- f. The suspension of Rule 600 and the continued use of ACT are tools that should remain available as necessary for the First Judicial District given the uncertainties of the duration and severity of the COVID-19 pandemic.

3. All of which necessitate the continued utilization of the above measures which have enabled to First Judicial District to conduct and resume judicial proceedings consistent with the Supreme Court orders issued from time to time at Nos. 531 and 532 Judicial Administration Docket, including Orders issued on April 28, 2021, May 27, 2021, June 21, 202 and July 2, 2021. All ACT proceedings will be originated and operated from the Courtroom, with Judge and staff present.

4. Notice of this request for the temporary suspension or modification of statewide rules been or will be:
 - a. Posted on the court's website;
 - b. Distributed to the Philadelphia Bar Association for further distribution;
 - c. Submitted to the Administrative Office of Pennsylvania Courts for publication pursuant to Rule of Judicial Administration No. 1952(C)(5); and
 - d. Published in *The Legal Intelligencer*, the legal publication designated by the court for publication of legal notices.

5. Interested parties are advised that objections to any emergency judicial order issued by the Supreme Court should be transmitted to the Supreme Court Prothonotary.

Date: 8/16/2021



Honorable Idee C. Fox,
President Judge, Court of Common Pleas
Chair, Administrative Governing Board of the
First Judicial District of Pennsylvania