

MONTGOMERY COUNTY COURT OF COMMON PLEAS
COVID-19 EMERGENCY PROTOCOL

Notwithstanding the limitations of the Emergency Order, the Court wishes to make itself available to work with counsel to resolve cases or issues within cases. This could take the form of conferences to attempt to resolve agreed-upon issues ripe for resolution, or the submission of agreed-upon Orders for review and execution by the Court. This would be accomplished with the assistance of our Judges working from their homes and utilizing telephone and/or video conferencing, when necessary.

Cases eligible for this program are limited to:

- 1. Cases in the civil, family and orphans' court divisions, and**
- 2. Cases where all parties are represented by counsel who are e-filers.**

CASE CONFERENCES

1. Created form for attorneys to use to request video conference or telephone conference with Judge in a pending case in a subject division **OR** to submit an agreed-upon Order for review and execution by the Court (form to include certifications that all attorneys are e-filers, that all attorneys agree to the requested conference, and fields to note attorney phone numbers and e-mail addresses).
2. Created a designated email address to permit court admin to have notice of all requests for video/telephone conferences or review of agreed Orders.
3. Requests for review of an agreed-upon Order will be sent to the designated Judge on the file for review and execution – *check box on bottom of form*.
4. Attorneys in case in which all parties are represented by counsel may request a video conference or telephone conference with a Judge – via designated form sent to Court Admin designated email address. A video conference or telephone conference will be scheduled in those cases in which all counsel agree to participate in the conference.
5. All attorneys, the judge, and the judicial assistant will work from home to: receive requests, schedule times for the conference, and conduct the conferences from their own homes.
6. All attorneys making any such request shall confirm that they are e-filers with the filing offices and receive electronic notice of all orders filed.
7. Conferences will not be conducted on the record.
8. Court Admin shall have the authority to determine the priority in which conferences may be scheduled and shall have the authority to determine that the need for emergency judges to handle emergency matters or matters that become a priority during the emergency requires postponement of scheduling of case conferences.

9. Conference requests will be submitted to the designated Judge on the file for scheduling. In the event the designated Judge is not able to accommodate the request, Court Admin will rotate to another Judge who is able to handle same.
10. Judge/Judicial assistant shall contact counsel to propose a time for a scheduled video or telephone conference.
11. Counsel are required to schedule a video or telephone conference and provide connection information to Judge and opposing counsel, for time designated by Judge.
12. Judicial Assistants shall keep track all cases for which video or telephone conferences are scheduled, noting date scheduled and adding a note following the conference as to whether an order was issued and date e-filed.
13. Attorneys shall be required to email to Judge/Judicial assistant copies of any documents that are relevant to the conference. Counsel shall also email a proposed order saved in Word. Counsel are encouraged to submit a joint proposed order whenever possible.
14. Following conference or review, Judge or Judicial Assistant will email order to be filed to Court Admin; with notation that Order is approved and with any changes made or noted on order. If the Judge can sign and scan the original – that should be done. Otherwise Court Admin will take care of executing the Order.
15. Order will be electronically filed by Court Admin staff or designated staff.
16. E-filed order can be accepted by Prothy's Office or Clerk of O.C. by staff person working remotely.

NOTE – NO Orders shall be issued to place a matter on a subsequent list or schedule for a subsequent hearing or trial. Only Orders entered by agreement will be accepted for filing by Court Admin. If there is no agreement as a result of the conference – nothing further will occur.