

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

IN RE: 31ST JUDICIAL DISTRICT - : No. 48 MM 2020
DECLARATION OF JUDICIAL EMERGENCY :

* * * * *

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA

IN RE: JUDICIAL EMERGENCY ORDER : NO. 2020-J-0094

7th AMENDED EMERGENCY ORDER

AND NOW, this 31 day of August, 2020, the Court having declared a judicial emergency in the 31st Judicial District of Pennsylvania through November 30, 2020, by declarations filed on March 17, April 3, April 21, May 29, June 17, and August 31, 2020;

AND it being the intention to protect the health and safety of the public and court employees and maintain as high a level of operations and service as possible without compromising legal rights; and in accordance with the Supreme Court's Order of May 27, 2020, in In Re General Statewide Judicial Emergency (Nos. 531 and 532 Judicial Administration Docket);

IT IS ORDERED:

1.) All matters and proceedings shall be scheduled and conducted in the normal course EXCEPT:

a.) All matters and proceedings that can be conducted by advanced communication technology (Zoom, Polycom, telephone, video-conferencing, closed circuit television, facsimile, scanning, electronic filing, etc.) are encouraged to be conducted by advanced communication technology, notwithstanding any general order of court to the contrary but subject to constitutional limitations.

b.) All in-person proceedings shall be limited to no more than 50 persons in the Common Pleas and no more than 10 persons in the Magisterial District Courts.

c.) Priority for the utilization of jurors shall be given to criminal cases involving Pa.R.Crim.P. 600 or other "speedy trial" issues, incarcerated defendants or felony charges.

d.) Civil Division:

(1) In matters involving the nonpayment of monies, any notice requirements mandated by Act 6 and Act 91 delivered before August 31, 2020, will be deemed delivered on August 31, 2020, and any foreclosure actions requiring Act 6 and Act 91 compliance may proceed from that point forward in the normal course of action.

e.) Magisterial District Courts:

(1) Payors shall be encouraged to make payments by mail, electronically (on-line), or by telephone rather than in person.

(2) In those matters involving the nonpayment of monies or the removal of any tenant solely because the tenant has held over or exceeded the term of the lease, all eviction timelines must be computed with a start date of August 31, 2020, at which point any previously delivered Landlord and Tenant Act of 1951 and the Manufactured Home Community Rights Act notices will be deemed delivered and any eviction proceedings may proceed from that point forward in the normal course of action.

(3) In Landlord/Tenant actions involving "federally funded covered properties" subject to the CARES Act, a landlord may issue a 30-day notice to quit (not a 10-day notice) on/after August 11, 2020, and a complaint may be filed on/after September 10, 2020.

(4) Landlord/Tenant actions for failure to pay rent or overstaying the expiration of a lease NOT involving "federally funded covered properties" shall proceed as follows: Until the expiration of the CARES Act, all landlord/tenant filings, initial complaints and requests for possession for failure to pay rent or for overstaying the terms of a lease shall include an affidavit signed by the landlord verifying the action does not involve a "federally funded covered property." An Affidavit of Compliance with the "CARES Act" shall be available on the Lehigh County website.

(5) The costs for reissuance of an order of possession necessitated by the Court's Emergency Order shall be charged to the County of Lehigh.

IT IS FURTHER ORDERED the operation of Pa.R.Crim.P.No. 600 is suspended in the 31st Judicial District through September 30, 2020, so that the time period from March 17, 2020, through September 30, 2020, shall be excluded from the time computation under Pa.R.Crim.P.No. 600(C) without prejudice to a criminal defendant's right to a speedy trial under the United States and Pennsylvania Constitutions.

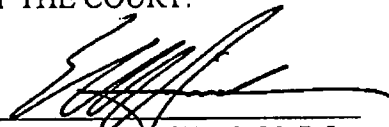
IT IS FURTHER ORDERED the Sheriff is authorized to conduct the Sheriff's Sale scheduled for Friday, September 25, 2020, at 10:00 a.m. at Cedar Crest College, Alumnae Hall Auditorium, 100 College Drive, Allentown, PA 18104.

IT IS FURTHER ORDERED, pursuant to Pa.R.J.A. No. 1952(B)(2)(d), while the judicial emergency remains in effect, access to the Lehigh County Courthouse or any court facility shall be limited to employees of the Unified Judicial System of Pennsylvania or the County of Lehigh; persons having business with the courts, departments or offices contained within such facilities; and persons observing court proceedings open to the general public consistent with the U.S. Centers for Disease Control and Pennsylvania Department of Health recommendations, including the wearing of face masks and maintaining social distancing. The Sheriff of Lehigh County shall assist in implementing this Order.

IT IS FURTHER ORDERED, NOTWITHSTANDING THE ABOVE, ANY AGREEMENT OR STIPULATION IN ANY MATTER MAY BE SUBMITTED TO THE ASSIGNED JUDGE OR, IF NO ASSIGNED JUDGE, THEN TO THE COURT ADMINISTRATOR.

IT IS FURTHER ORDERED this Order supersedes all previous Emergency Orders.

BY THE COURT:



EDWARD D. REIBMAN, P.J.