

IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

IN RE: AMENDED)
FIFTH JUDICIAL DISTRICT) No. 23 WM 2020
EMERGENCY OPERATIONS)
PLAN)
)

ORDER OF COURT

AND NOW, this 15th day of September 2020, having previously declared a judicial emergency in the Fifth Judicial District of Pennsylvania, and having suspended jury trials until further Order of Court, this Court amends its previous Emergency Operations Orders and now orders that the actions set forth below be taken pursuant to Pa.R.J.A. No. 1952(B)(2). All provisions of this Order apply through December 31, 2020.

I. Resumption of Jury Trials in the Fifth Judicial District of Pennsylvania

- Jury selection for trials in both the Criminal and Civil Divisions of the Court of Common Pleas of the Fifth Judicial District shall resume on October 19, 2020.
- The Administrative Judge of each Division shall determine which cases shall proceed to trial by jury during the pendency of this Order.
- Jury selection for all matters shall take place in the David L. Lawrence Convention Center (hereinafter the Convention Center), located at 1000 Fort Duquesne Boulevard, Pittsburgh, PA 15222. All persons shall enter

the Convention Center through the West Lobby entrance of the Convention Center.

- Jury trials for Civil Division cases shall be heard in the Convention Center.
- Jury trials for Criminal Division matters shall be heard in one of three locations that are large enough to ensure sufficient social distancing. These locations are:
 - Courtroom 700 (Civil Division Assignment Room) located on the 7th floor of the City-County Building, 414 Grant Street, Pittsburgh, PA 15219;
 - The Gold Room located on the 4th floor of the Courthouse, 436 Grant Street, Pittsburgh, PA 15219; and
 - Courtroom 313 located on the 3rd floor of the Courthouse, 436 Grant Street, Pittsburgh, PA 15219.
- With prior approval of the Sheriff of Allegheny County and the Administrative Judge, some criminal jury trials may take place in the Convention Center, provided that the defendant is not incarcerated and the case does not involve a crime of violence, the use or possession of a firearm or other deadly weapon, or the delivery of a controlled substance.

II. Other matters to be heard at the Convention Center

- Other minor matters, such as traffic matters, as designated by the President Judge, the with approval of the Sheriff of Allegheny County, may be heard in the Convention Center.

III. Safety and Health Measures

- For purposes of this Order and to hear and dispose of matters set forth in this Order, the David L. Lawrence Convention Center and the Gold

Room located on the 4th floor of the Courthouse are deemed court facilities. All provisions regarding court facilities contained in the Emergency Operations Plan Order entered on August 31, 2020 and its attachments shall apply to the Convention Center and the Gold Room.

- The Allegheny County Sheriff shall provide security for all court activities in the Convention Center and for jury trials in the Courthouse and the City-County Building. Sheriff's deputies shall have full authority to enforce the provisions of the August 31, 2020 Order in the Convention Center.
- The health and safety of all persons, including but not limited to, jurors, witnesses and victims, defendants, attorneys, employees, judges and judicial staff is a priority of the Court. Accordingly, health and safety measures are in place and include:
 - All persons shall be required to undergo security screening (magnetometer and x-ray) upon entry to the Convention Center, the City-County Building, and the Courthouse.
 - Temperature checks will be administered upon entry to the Convention Center, the Gold Room, the Civil Division Assignment Room, and Courtroom 313.
 - COVID-19 screening questions will be administered.
 - Social distancing is ordered and will be practiced in all courtrooms and jury assembly rooms.
 - Face masks or coverings must be worn by all persons entering or remaining in court facilities. Masks will be available for those who do not have one.
 - Hand sanitizer stations will be placed at key areas throughout court facilities.
 - The public, including the news media, will observe jury trials in separate courtrooms or rooms designated for this purpose.
 - All provisions regarding court facilities contained in the Emergency Operations Plan Order entered on August 31, 2020 and its attachments shall apply to the Convention Center and the Gold Room.

- Sheriff's deputies, police, constables, and building security shall have the authority to enforce all of the conditions in this Order and the August 31, 2020 Emergency Operations Plan Order. Persons who are not compliant with these orders will be required to leave the Convention Center or other court facility.

By the Court:

 .P.J.

Kim Berkeley Clark
President Judge