

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: 12th JUDICIAL DISTRICT – DECLARATION : NO. 40 MM 2020
OF JUDICIAL EMERGENCY

AD-51-2020 0010-32-2020
2020-CV-00178-A

FIFTH SUPPLEMENTAL DECLARATION

Per the Supreme Court's Order dated March 16, 2020, as supplemented by the Second Supplemental Order by the Pennsylvania Supreme Court issued on April 1, 2020, and the Order issued by the Pennsylvania Supreme Court on May 27, 2020, I declare the judicial emergency in the 12th Judicial District shall continue through March 7, 2021. Rule of Criminal Procedure 600(C) is HEREBY SUSPENDED in the 12th Judicial District between December 7, 2020 and March 7, 2021. The purport of this directive is that this time period, SHALL BE EXCLUDED from the time calculation under Rule 600(C), on account of judicial emergency. Nothing in this Order, however, shall affect a criminal defendant's right to a speedy trial under the United States and Pennsylvania Constitutions — albeit that the circumstances giving rise to this Order and the suspension may be relevant to the constitutional analysis.

This suspension of Rule 600(C) was necessary due to the suspension of jury trials in December 2020, as well as in 2021, until March 8, 2021, triggered by a spike in Covid-19 cases. Presently, jury trials are scheduled to recommence on March 8, 2021. The judicial emergency necessitated the cancellation of the jury terms in December 2020 and January 2021. There is not a scheduled jury term in February 2021, however,

the jury trial scheduled to begin on February 10, 2021, before the Honorable William T. Tully shall proceed.

Unless conditions prevent it, jury trials are set to recommence in the 12th Judicial District on March 8, 2021.

In addition, the provisions of the Amended Sixth Supplemental Administrative Order dated September 21, 2020, shall remain in full force and effect.

John F. Cherry
John F. Cherry, President Judge

December 11, 2020
Date

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I hereby certify that the foregoing is a true and correct copy of the original filed.
Matthew R. Krepp
Prothonotary

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