

COURT OF COMMON PLEAS OF WASHINGTON COUNTY
OFFICE OF THE COURT ADMINISTRATOR


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TO: Board of Judges
Magisterial District Judges
Court Department Heads
Court Staff

FROM: Patrick R. Grimm, Esq. 
District Court Administrator

DATE: March 13, 2020

RE: Coronavirus Disease 2019 (COVID-19)

President Judge Emery, in consultation with the Board of Judges, has authorized the distribution of this memorandum. Effective immediately, and until further notice, the Court has adopted the following policies and/or restrictions:

- Exposure Control Policy (attached);
- Court Employees will have work-related travel outside of the county restricted on a case-by-case basis;
- Court events/meetings (as distinguished from court proceedings, conferences, etc.) may be limited, rescheduled, or held telephonically/virtually.
- Remote/telecommute work may be approved by an employee's Department Head/Judge on a case-by-case basis.
- Employees will stay home from work if they or someone who resides with them is exhibiting signs of illness (sneezing, coughing, difficulty breathing).

IMPORTANTLY, THE COURT IS REDUCING FUNCTIONS TO ESSENTIAL SERVICES OVER THE NEXT TWO (2) WEEKS TO DETERMINE IF OTHER EMERGENCY MEASURES ARE/WILL BE NECESSARY.

Accordingly, the Court has also authorized the implementation of the following strategies with the goal of maximizing safety for the public and employees in this time of a public health concern:

- **Juror summons** will be limited to encourage social distance in the selection process. Priority for jurors will go to criminal cases first. Court Administration may assign Judges to other courtrooms to accommodate more space for the prospective jurors.
- **Jury notifications** will be placed on our website to apprise jurors that if they or someone in their home is feeling sick, they can contact Jury Management to reschedule their service. In addition, we will be placing information on the website regarding the April trial term as it becomes available;
- **Motions** will be handled by telephone or email if consented to. Contact the Judge's office for instructions;
- **Contested Motions** will be argued by telephone, or scheduled to a date certain. Contact the Judge's office for instructions.
- **Scheduling Motions for criminal cases** will be handled by telephone or e-mail. Contact the Judge's office for instructions.
- **Continuances** may be requested by telephone or email in advance of the court date, with the consent of the opposing party, and 24 hours' notice to the Court. Any applicable fees will be waived;
- **Video Conferencing** shall be utilized for status conferences, Gagnon hearings, guilty pleas, bench warrants, and all other judicial proceedings where possible;
- **Scheduling of larger court lists** will be staggered to avoid larger groups of litigants/attorneys in the courtrooms. Courtrooms may be reassigned to maximize social distance among participants.
- **Juvenile Court** will hold emergency dependency hearings, and shelter and detention hearings. All other matters will be held at the discretion of the assigned Judge;
- **Initial Case Management Conferences** may be conducted by telephone;
- **All MDJ offices** will be directed to implement similar strategies to minimize exposure (staggered scheduling, video arraignments and preliminary hearings, money processing policies, etc.);
- Court programming, such as the **LEADER program, Alcohol Highway Safety School, and Community Service/Furlough Into Service**, may be modified or cancelled;
- The **Court Administrator** shall have the authority to restrict, modify, reschedule, or cancel non-essential departmental operations. This includes the scheduling of conferences and hearings before quasi-judicial officers.

By way of update, the following **safety measures** have been implemented:

- Sanitizer stations are in the process of being installed in the Courthouse and MDJ offices.
- Additional cleaning supplies have been ordered.
- Continued discussions with the appropriate departments about adjusted cleaning routines for the Courthouse and MDJ offices.

The greatest barrier to this process is a lack of supply. We are working with the appropriate departments to source materials. Staff should also use social distancing techniques where practicable, and follow CDC recommendations (<https://www.cdc.gov/coronavirus/2019-ncov/community/index.html>) for general precautions and personal hygiene. **Frequent hand washing and/or sanitizing should be practiced.**

It is important to remember the procedures for alert and notification for any alteration of court operations. Employees must only act upon information received from management within their department and/or office, the Court Administrator, or the President Judge. You should not deviate from any directive provided if continuity of operations become an issue. The expectation is that the judicial system remains functional – even if on a limited basis – in the event of a pandemic. Information about COVID-19 continues to evolve, and we will continue to communicate relevant information as it becomes available.

Thank you for your anticipated patience and cooperation herein. Please be mindful that events are very fluid – and subject to change as additional information is provided.

cc: President Judge Katherine B. Emery
Board of Commissioners
John Haynes, Chief of Staff
Jeffrey Yates, Director of Public Safety
Shelli Arnold, Director of Human Resources
Justin Welsh, Director of Buildings & Grounds
Edward Strawn, Warden
Eugene Vittone, District Attorney
Glenn Alterio, Public Defender
Brenda Davis, Clerk of Courts
Laura Hough, Prothonotary
James Roman, Register of Wills
Washington County Bar Association

27th JUDICIAL DISTRICT OF PENNSYLVANIA



COURT OF COMMON PLEAS OF WASHINGTON COUNTY

EXPOSURE CONTROL POLICY

Objective

To protect Court officials and employees from being exposed to health threatening conditions and, therefore, reducing the chance of exposing colleagues and members of the public.

Scope of Policy

The 27th Judicial District has established this policy for all employees, interns and volunteers who have been exposed to an Aerosol Transmissible Disease ("ATD") or Aerosol Transmissible Pathogen ("ATP"). Diseases and pathogens which are to be considered aerosol transmissible pathogens or diseases can include, but are not limited to, COVID-19 and other coronaviruses, Measles, Mumps, Rubella, Tuberculosis, Varicella, Influenza, Meningitis, Pertussis, and other acute respiratory syndromes. Please note that this can include any other disease for which public health guidelines recommend airborne infection isolation.

Procedures

Any employee who believes they have been exposed to an ATR/ATD must report the potential exposure to their supervisor or Department Head/Judge immediately. Upon report of the incident, the supervisor or Department Head/Judge will provide Court Administration and Human Resources with details of the potential exposure. Reported incidents will be responded to on a case-by-case basis.

Employees who have symptoms of acute respiratory illness are required to stay home and not come to work until they are free of fever (100.4° F [37.8° C] or greater using an oral thermometer), signs of a fever, and any other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines (*e.g.*, acetaminophen, ibuprofen, naproxen, Dayquil, cough suppressants, etc.). Signs and

symptoms generally include combinations of the following: coughing, sneezing, and other respiratory symptoms, fever, sweating, chills, muscle aches, weakness, and malaise.

Management reserves the right to require self-isolation of an employee in appropriate circumstances (*e.g.*, travel to a foreign country), even absent outward symptoms of an ATD or ATP.

The Center for Disease Control recommends that employees who appear to have acute respiratory illness symptoms (*i.e.* cough, shortness of breath) upon arrival to work or become sick during the day should be separated from other employees and be sent home immediately. Work areas should be thoroughly cleaned with an EPA approved disinfectant on a routine basis. Areas to consider are workstations, phones, fax machines, copiers, break rooms and other common objects or areas.

Employees may be asked to work remotely for a period of time after being exposed. This period will be in accordance with federal, state, and/or local health guidelines. The 27th Judicial District will adhere to the guidance of the public health authorities.

Employees may be required to provide a medical note releasing them to return to work.

Public health action may take place and this can include active monitoring or supervision of self-monitoring by public health authorizes, or the application of movement restrictions, including isolation and quarantine, when needed to prevent the possible spread of illness.

EXPOSURE CONTROL POLICY - FAQ

1. Is Corona Virus one of the diseases covered under this policy?

Yes. Based on available information, it is a flu-like virus.

2. How does an employee know if they have been exposed to an aerosol transmissible disease?

Generally, it will be based on an awareness of being close to or around a person or persons who is/are exhibiting overt signs of illness such as frequent coughing, sneezing, etc. Someone may advise an employee that they have been in close proximity to or that he or she has been diagnosed with a respiratory illness. In addition, the employee may be contacted by a public health official about possible exposure to the Coronavirus.

3. What if the employee does not want to return home from work?

Managers and supervisors should contact the Court Administrator for assistance and direction concerning an employee's refusal to follow the policy and return home.

4. Does the employee have to use a sick day?

We encourage departments to have employees work from home if possible. This will provide continuity of county services and not require employees to use their benefits. If they cannot work from home, the employee should utilize any available sick leave they have accrued.

5. If the employee does not have any sick days, do they have to use vacation or personal days?

Yes. If the employee does not have any or insufficient sick leave, he or she should then utilize accrued vacation or personal days as needed.

6. What if the employee has no available time to use?

The Department Head/Judge should consult with the Court Administrator. Lack of available time will not impede sending an employee home.

7. I believe I have an employee who is feigning illness to stay at home from work. What do I do?

Managers and supervisors should contact the Court Administrator for assistance and input with addressing this possibility. Please be prepared to discuss the factual basis and reasons for this concern in detail. No disciplinary action shall be taken with respect to the employee without the explicit input and approval of the Court Administrator.