

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
SECOND JUDICIAL DISTRICT**

IN RE: ADMINISTRATIVE ORDER
SPECIFIC TO JUVENILE
DEPENDENCY PROCEEDINGS,
PARENT/CHILD VISITATION IN
JUVENILE DEPENDENCY CASES

: No. A.D. 4-2021
:
:
: Supreme Court Docket No. 44 MM 2020
:

CLERK OF COURTS
2021 JAN 12 PM 2:43
LANCASTER COUNTY, PA

ADMINISTRATIVE ORDER

AND NOW, this 12th day of January, 2021, upon consideration of the Pennsylvania Supreme Court's May 27, 2020, Order specifically empowering President Judges to continue local declarations of emergency, and consistent with this Court's Orders of March 17, 2020, April 1, 2020, April 24, 2020, May 26, 2020, June 19, 2020, August 14, 2020, October 19, 2020, December 4, 2020, December 11, 2020, and January 5, 2021, it is hereby **ORDERED** as follows:

1. The general provisions found in the Administrative Orders dated and filed December 11, 2020, at No. A.D. 56-2020, and January 5, 2021, at No. A.D. 3-2021, in the Office of the Clerk of Courts are incorporated herein.
2. The Administrative Order dated and filed March 17, 2020, to A.D. No. 20-02838 in the Office of the Prothonotary regarding Juvenile Dependency child visitation is reinstated *nunc pro tunc* as of December 11, 2020 and shall remain in effect in accordance with its terms. The Administrative Order dated and filed June 26, 2020, to A.D. No. 37 of 2020 in the Office of the Clerk of Courts which, among other matters, vacated the Administrative Order dated and filed March 17, 2020, to A.D. No. 20-02838 in the Office of the Prothonotary, is hereby vacated.

3. Shelter care hearings, adjudication hearings, disposition hearings, and permanency review hearings shall be held as scheduled by the Court Administration Office. All such hearings shall be held through advanced communication technology in accordance with the attached Protocol, which is incorporated herein by reference.

4. The Lancaster County Children and Youth Social Service Agency (the "Agency") shall deliver to the judge or hearing officer scheduled to preside at each hearing written certification that the Agency has complied with the Agency's responsibilities under the Protocol. The certification shall specify the email address and telephone number, if known, of all persons known to the Agency who will participate in the hearing. The certification shall be delivered by electronic means not less than one business day in advance of the hearing. The Agency shall provide a copy of its certification to attorneys for parents, self-represented parents (if an email address is available), the guardian *ad litem*, and the child(ren)'s legal interest attorney (if one is appointed) simultaneously with delivery to the judge or hearing officer.

5. (a) Attorneys for parents, guardians *ad litem*, and the child(ren)'s legal interest attorney (if one is appointed) shall deliver to the judge or hearing officer scheduled to preside at each hearing the names and contact information (email address and telephone number) for themselves and all persons whom they intend to call as witnesses at a hearing. This information shall be delivered by electronic means not less than one business day in advance of the hearing and shall be provided simultaneously to the Agency and all counsel and self-represented parents (if an email address is available).

(b) Self-represented parents are encouraged (but shall not be required) to provide to the judge or hearing officer scheduled to preside at each hearing and

simultaneously to the Agency, attorneys for parents, guardians *ad litem*, and the child(ren)'s legal interest attorney (if one is appointed), the names and contact information (email address and telephone number) for themselves and all persons whom they intend to call as witnesses at a hearing. This information should be delivered not less than one business day in advance of the hearing, preferably by electronic means. The same information should be provided simultaneously to the Agency and all other counsel and other self-represented parents (if an email address is available). The Agency shall make available upon request all contact information needed by self-represented parents to comply with this sub-paragraph.

6. All other processes which do not require a hearing shall proceed in the customary fashion. Electronic filing shall be permitted in all such cases.

BY THE COURT:

DAVID L. ASHWORTH
PRESIDENT JUDGE

Attest: Mark Karmin - Deputy.

Copies to:

- Lancaster County Board of Judges
- Lancaster County Magisterial District Judges
- Lancaster County District Court Administrator
- Lancaster County Adult Probation & Parole Services
- Lancaster County Children and Youth Social Service Agency
- Lancaster County Clerk of Courts
- Lancaster County Clerk of the Orphans' Court
- Lancaster County District Attorney
- Lancaster County Domestic Relations
- Lancaster County Juvenile Probation
- Lancaster County Law Library
- Lancaster County Office of Official Court Reporter
- Lancaster County Prison
- Lancaster County Prothonotary
- Lancaster County Public Defender
- Lancaster County Register of Wills
- Lancaster County Sheriff
- Lancaster County Board of Commissioners
- Lancaster County Solicitor
- Lancaster County Municipal Police Departments
- Pennsylvania State Police

**PROTOCOL FOR HEARINGS
USING ADVANCED COMMUNICATION TECHNOLOGY**

This protocol shall be attached to the Notice of Hearing in all juvenile dependency cases and shall be considered a part thereof.

PROTOCOL BEFORE THE HEARING:

1. All parties are notified that until further notice the Court will be using the Lifesize™ application to conduct the hearing remotely. No participant shall be personally present in the courtroom. The Lifesize™ application permits all participants to join in and fully participate in the hearing by video link or by telephone. Video link shall be the method used by all participants to whom it is available by computer or tablet (equipped with a camera, microphone, and speakers/headphones) or by smart phone; those without such capability shall join the hearing by telephone.

At the bottom of the last page, you will find the information you need to join the hearing. This information includes the internet link which will enable you to join the video hearing, and also a call-in number with access code to use for telephone participation.

**YOU ARE HEREBY NOTIFIED THAT IF YOU FAIL TO JOIN IN THE HEARING AS
DIRECTED THE HEARING MAY PROCEED IN YOUR ABSENCE AND THE COURT
MAY ENTER AN ORDER AFFECTING YOUR RIGHTS.**

The County of Lancaster is a licensed user of the Lifesize™ application. You may learn more about the Lifesize™ application at <https://www.lifesize.com>.

2. (a) It is the responsibility of the attorneys to assure that this information has been received by their clients and by their witnesses.
- (b) It is the responsibility of self-represented parents to provide the Lancaster County Children and Youth Social Service Agency with a working email address (if they have one) or with a working telephone number from which they will join the hearing.
- (c) It is the responsibility of the Lancaster County Children and Youth Social Service Agency to assure that all parents have a working method of joining the hearing.
- (d) It is the responsibility of the Lancaster County Children and Youth Social Service Agency to assure that children in care (or, for young children, their caregivers) have a

working method of joining the hearing.

(e) It is the responsibility of self-represented parents to provide this information to their witnesses.

(f) Attorneys shall consult with their clients well in advance of the hearing to avoid any delay of the hearing on the date and time set for it.

3. Copies of any documents which any party wishes to introduce at the hearing shall be delivered in advance of the hearing to all other participants and to the Court. Delivery by electronic means is preferred. For delivery to the Court, contact Court Administration at (717) 299-8041 or email FlaudA@co.lancaster.pa.us for instructions at least one full business day before the hearing.

The Court and the Court Administration Office will take care to schedule hearings so that there is no overlap in the scheduling of hearings. If a hearing is approaching the end of the allotted time but is not completed, it will be necessary to adjourn and reschedule the hearing to avoid problems with the next hearing which is scheduled to commence. The participants are encouraged to design their presentations and confer with one another in advance of the hearing to permit the hearing to be concluded within the allotted time whenever possible in a manner consistent with due process.

PROTOCOL ON THE DAY OF THE HEARING:

1.
 - (a) All parties and attorneys must join the Lifesize meeting not later than the scheduled starting time of the hearing and shall announce their presence upon joining.**
 - (b) Witnesses shall NOT join the Lifesize hearing until they are notified (either by telephone or text message) to do so. Witnesses shall remain in the hearing until their testimony is completed. Witnesses shall immediately disconnect from the meeting when they are directed to do so by the Court.**
 - (c) Juvenile Dependency hearings are generally closed to the public. All participants shall keep their cameras on at all times unless directed otherwise by the court. No participant shall permit any other person to watch or hear any part of the hearing without the court's permission. No participant or witness shall record any portion of the hearing by video or sound recording methods, nor shall**

any "screen shot" of the hearing be taken. Violation of these prohibitions may constitute a criminal offense and, further, may be subject to sanctions for contempt of court or may lead to professional discipline.

(d) The hearing must conclude not less than five minutes before the scheduled start of the next hearing.

2. THE INFORMATION YOU NEED TO JOIN THE HEARING THROUGH THE LIFESIZE™ APPLICATION IS AS FOLLOWS:

[PERTINENT INFORMATION TO BE
INSERTED HERE IN EACH NOTICE]