

IN THE COURT OF COMMON PLEAS OF WAYNE COUNTY
COMMONWEALTH OF PENNSYLVANIA
22nd JUDICIAL DISTRICT

IN RE: LOCAL CRIMINAL RULE 117

NO. Criminal-AD-6-2023

ORDER

AND NOW, this 17 day of April, 2023, IT IS HEREBY ORDERED that Criminal Local Rule 117.1 is RESCINDED in its entirety and replaced with Local Criminal Rule 117:

Local Rule 117. Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail

- (A) Each Magisterial District Court shall be open for regular business hours from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding county-established holidays. The hours of an office may be modified with the approval of the President Judge or the President Judge's designee.
- (B) When, during regular business hours for magisterial district judges, a judge with venue over a matter is unavailable, any other magisterial district judge in Wayne County is hereby temporarily assigned to serve the magisterial district of the judge who is unavailable. Such an arrangement shall be made between respective magisterial district judges and communicated to the District Court Administrator.
- (C) A Magisterial District Judge shall be available twenty-four hours a day, every day of the calendar year to provide continuous coverage for the:
- (1) Issuance of search warrants pursuant to Pa.R.Crim.P. 203;
 - (2) Issuance of arrest warrants pursuant to Pa.R.Crim.P. 513; and,
 - (3) Issuance of emergency orders under the Protection from Abuse Act (23 Pa.C.S. §§ 6101-6122), the Protection of Victims of Sexual Violence or Intimidation Act (42 Pa.C.S. §§ 62A01-62A20), and the Older Adults Protective Services Act (35 Pa.C.S. §§ 10225.101-10225.5102).

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- (D) This rule shall be satisfied by a Magisterial District Judge remaining on-call during non-business hours on a rotating basis, pursuant to an annual schedule prepared by the District Court Administrator or designee.
- (E) The on-call magisterial district judge shall be responsible for performing all services required by Pa.R.Crim.P. 117(A)(2), in the following manner: The on-call magisterial district judge shall call the booking officer at the Wayne County Correctional Facility each morning at 8:30 a.m. to determine if there is a need to perform any of the services required by Pa.R.Crim.P. 117(A)(2). If such need has arisen, the on-call magisterial district judge shall conduct all necessary proceedings, without unnecessary delay, either at the office of the on-call magisterial district judge or remotely by two-way audio-visual communication (to the extent allowable by Pa.R.Crim.P. 119) at the option of the on-call magisterial district judge.
- (F) In addition to those persons who are authorized by statute or the Pennsylvania Rules of Criminal Procedure to accept bail, the Warden or the designee of the Warden of the Wayne County Correctional Facility outside of regular business hours, is authorized to accept bail in accordance with the provisions and subject to the limitations of the Pennsylvania Rules of Criminal Procedure. The Warden or Warden's designee shall be authorized to accept bail and to witness a defendant's signature on the bail bond. The defendant and surety shall be given a copy of the bail bond. The Warden or Warden's designee shall then forward the appropriate bail information and any money posted to the Magisterial District Court office on the next business day.

The Effective Date of this Local Rule is 30 days after the date of publication in the *Pennsylvania Bulletin*.

The District Court Administrator is directed to:

1. File one (1) certified copy of this Order with the Administrative Office of Pennsylvania Courts;
2. Submit two (2) certified copies of this Order to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* along with a copy of this Order on a CD-ROM or other agreed upon alternate format;
3. Publish a copy of this Order on the Wayne County Court of Common Pleas website;
4. Compile the local rule within the complete set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*.

BY THE COURT:



JANINE EDWARDS, PRESIDENT JUDGE