

SUPREME COURT OF PENNSYLVANIA

In Re: Order Amending Rules 1950-1952 and 1954 of the Pennsylvania Rules of Judicial Administration

Supreme Court of Pennsylvania (March 16, 2021)

SUMMARY

This document amends Pennsylvania Rules of Judicial Administration Nos. 1950–1952 and 1954. The amendments address continuity-of-operations and emergency-action planning, emergency authorities and procedures, and court security committees, incident reporting, and facility security assessments. The rules assign responsibilities to the Supreme Court, Court Administrator, president judges, and district court administrators during emergencies.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
JURISDICTION	Pennsylvania
DECIDED	March 16, 2021
DISPOSITION	other
PROCEDURAL POSTURE	The Supreme Court of Pennsylvania issued a per curiam rulemaking order amending Rules 1950-1952 and 1954 of the Pennsylvania Rules of Judicial Administration.
PRECEDENTIAL VALUE	Binding rulemaking order establishing and amending Pennsylvania Rules of Judicial Administration.

TOPICS

rulemaking

administrative law

civil procedure

administrative procedure act

PRACTICE AREAS

civil procedure

administrative law

court administration

emergency management

QUESTIONS PRESENTED

1. What amendments should govern continuity-of-operations planning and emergency action plans for Pennsylvania courts?
2. What authority should the Supreme Court and president judges have to respond to judicial emergencies and maintain court operations?

3. What court security committees, incident-reporting requirements, and security assessments should each Pennsylvania judicial district maintain?

HOLDINGS

1. Pennsylvania judicial districts must develop, maintain, review, and certify continuity-of-operations plans and emergency action plans under standards and procedures established by the Court Administrator.
2. Upon declaration or authorization of a judicial emergency, the Supreme Court may take specified statewide or district-specific administrative and procedural actions, and an authorized president judge may take enumerated measures to protect persons and property and continue court operations.
3. Each Pennsylvania judicial district must maintain a local court security committee, complete required judicial incident reporting, and conduct court-facility security assessments as prescribed by the amended rule and the Court Administrator.

KEY QUOTATIONS

“One lesson learned is that many of the difficulties citizens face during and after an emergency or disaster can be ameliorated if the court system is operational and providing at least its essential functions.” (at 2)

“Well-conceived and regularly updated continuity of operations plans and emergency action plans are essential to ensure that courts effectively serve the public both during and after such emergencies.” (at 2)

“Under this Rule, and subject to Supreme Court approval and oversight, the president judges of each judicial district are given wide authority to order that extraordinary measures be taken to protect the public, court users and staff and to continue court operations during and after an emergency.” (at 8)

FACTUAL BACKGROUND

The court relied on the need for Pennsylvania courts to remain operational during natural and man-made emergencies, including fires, severe weather, hazardous-material events, active-shooter incidents, terrorist attacks, and pandemics. The amendments were intended to establish minimum standards for continuity of operations and emergency action plans, clarify the emergency powers of the Supreme Court and president judges, and formalize local court security committees and reporting duties.

PROCEDURAL HISTORY

The opinion is a court rulemaking order rather than an appeal between opposing litigants. The Supreme Court amended provisions governing emergency definitions, continuity-of-operations planning, emergency action authority, and court security throughout Pennsylvania's judicial districts.

DISPOSITION

other

