



CAPTION

In Re: The Petition of C.Z., A.O., and Z.S.-W., on behalf of all similarly situated individuals, Petitioners

CASE INFORMATION

Initiating Document: Application for Extraordinary Relief

Case Status: Decided/Active

Journal Number:

Case Category: Juvenile Case Type(s): Other

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

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IFP Status:

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 IFP Status:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
04/01/2020	Extraordinary / Plenary Jurisdiction	70.25	04/02/2020	2020-SUP-E-000992	70.25


AGENCY/TRIAL COURT INFORMATION

Court Below:

County:

Division:

Date of Agency/Trial Court Order:

Docket Number:

Judge(s):

OTN:

Order Type:

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
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Record Remittal:
DISPOSITION INFORMATION

Related Journal No:

Judgment Date:

Category:

Decided

Disposition Author:

Per Curiam

Disposition:

Order Denying Application for
Extraordinary Relief

Disposition Date:

April 7, 2020

Dispositional Filing:

Author:

Filed Date:

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
April 1, 2020	Application for Extraordinary Relief Under the Court's King's Bench Jurisdiction	Petitioner Petitioner Petitioner	Z., C. O., A. S.-W., Z.
April 3, 2020	Praecipe for Appearance Department of Corrections	Respondent	Holmes, Timothy Andres
April 3, 2020	No Answer Letter to Application for Extraordinary Relief (DOC)	Respondent	Department of Corrections
April 3, 2020	No Answer Letter to Application for Extraordinary Relief (AOPC)	Respondent	Administrative Office of Pennsylvania Courts
April 3, 2020	No Answer Letter to Application for Extraordinary Relief (Wolf)	Respondent	Wolf, Tom W.
April 3, 2020	Praecipe for Appearance Pennsylvania District Attorney's Association	Respondent	Piatkowski, Tracy Saylor



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
April 3, 2020	Answer to Application for Extraordinary Relief (Pa.D.A. Assoc.)	Respondent	Pennsylvania District Attorney's Association
April 3, 2020	No Answer Letter to Application for Extraordinary Relief (OAG)	Respondent	Commonwealth of Pennsylvania
April 3, 2020	Answer to Application for Extraordinary Relief (CCA of Pa.)	Respondent	County Commissioners Association of Pennsylvania
April 3, 2020	Answer to Application for Extraordinary Relief (Pa. DHS)	Respondent	Pennsylvania Department of Human Services
April 3, 2020	Praecepte for Appearance	Respondent	Serafin, Kenneth J.
	Pennsylvania Department of Human Services	Respondent	McLees, Matthew John
	Pennsylvania Department of Human Services	Respondent	
April 6, 2020	Applic. for Relief to File Reply Brief in Support of Pet.s' Applic. for Extraordinary Relief	Petitioner	Z., C.
		Petitioner	O., A.
		Petitioner	S.-W., Z.
Comments: Application for Relief to File Reply Brief in Support of Petitioners' Application for Extraordinary Relief Under the Court's King's Bench Jurisdiction			
April 6, 2020	No Answer Letter to Application for Relief (AOPC)	Respondent	Administrative Office of Pennsylvania Courts
April 6, 2020	No Answer Letter to Application for Relief (Wolf)	Respondent	Wolf, Tom W.
April 6, 2020	No Answer Letter to Application for Relief (Pa. DHS)	Respondent	Pennsylvania Department of Human Services
April 6, 2020	No Answer Letter to Application for Relief (DOC)	Respondent	Department of Corrections
April 6, 2020	No Answer Letter to Application for Relief (CCA of Pa.)	Respondent	County Commissioners Association of Pennsylvania
April 6, 2020	No Answer Letter to Application for Relief (Pa. D.A. Assoc.)	Respondent	Pennsylvania District Attorney's Association
April 6, 2020	No Answer Letter to Application for Relief (OAG)	Respondent	Commonwealth of Pennsylvania



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
April 7, 2020	Order Denying Application for Extraordinary Relief under the Court's King's Bench Jurisdiction		Per Curiam

Comments:

AND NOW, this 7th day of April, 2020, the "Application for Extraordinary Relief under the Court's King's Bench Jurisdiction," asking this Court to direct the reduction of the number of youth in detention, correctional, and other residential facilities under the jurisdiction of the juvenile and criminal courts across the Commonwealth by ordering, inter alia, that juveniles entering the juvenile system not be placed into detention and that juveniles in detention be reviewed for release, with certain presumptive categories of juveniles being immediately released, in order to prevent the spread of COVID-19 in facilities housing juveniles is DENIED. Nevertheless, pursuant to Pennsylvania Rule of Judicial Administration 1952(A) and this Court's constitutionally conferred general supervisory and administrative authority over all courts and magisterial district judges, see PA. CONST. art V, § 10(a), this Court explains and DIRECTS as follows:

The potential outbreak of COVID-19 in facilities housing juveniles in detention poses an undeniable threat to the health of juvenile detainees, facility staff and their families, and the surrounding community. Accordingly, action to mitigate the potential of a public health crisis is appropriate. We acknowledge that in many judicial districts, judges, district attorneys, the defense bar, juvenile probation officers, and other relevant stakeholders are currently engaged in a concerted proactive effort to reduce transmission of the disease in juvenile facilities and surrounding communities through careful, individualized, reduction of institutional populations and other preventative measures. In light of Petitioners' allegations that not all judicial districts have so responded, there remains the potential of unnecessary overcrowding in these facilities which should be addressed for the health and welfare of correctional staffs, juvenile residents, medical professionals, as well as the general public.

We emphasize, however, that the immediate release of juveniles detained in various facilities, as sought by Petitioners, fails to take into account the individual circumstances of each juvenile, including any danger to them or to others, as well as the diversity of situations present within individual institutions and communities. Nevertheless, we recognize that the public health authorities, including the Centers for Disease Control and Prevention and the Pennsylvania Department of Health, continue to issue guidance on best practices for institutions where individuals are detained specifically and congregate settings generally to employ preventative measures, including social distancing to control the spread of the disease. Moreover, we acknowledge the statewide efforts of the Juvenile Court Judges' Commission to eliminate the threat of COVID-19 within Pennsylvania's juvenile residential placements.

Accordingly, we DIRECT President Judges, or their designees, to engage with all relevant county stakeholders to review immediately the current capabilities of residential placements within their counties where judges have placed juveniles to address the spread of COVID-19. President Judges should also consult with relevant county stakeholders to identify juveniles and/or classes of juveniles for potential release from placement to reduce the current and future populations of the institutions during this public health crisis with careful regard for the individual circumstances of juveniles in placement as well as their safety and the public's safety with awareness of any statutory rights of victims. Moreover, consistent with these considerations, judges are to undertake efforts to limit the introduction of new juveniles into the juvenile detention system during the COVID-19 pandemic.

Finally, we observe that Petitioners express confusion regarding whether county courts can review existing detention and placement orders pursuant to our Statewide Emergency Order dated March 18, 2020, generally closing Pennsylvania courts to the public as to non-essential functions. As set forth in our March 18, 2020, Statewide Emergency Order, we reiterate that essential court functions include: juvenile delinquency detention; juvenile emergency shelter and detention hearings; and emergency petitions for child custody or pursuant to any provision of the Juvenile Act, 42 Pa.C.S. §§ 6301 - 6375.

Finally, Petitioners' "Application for Relief to File Reply Brief in Support of Petitioners' Application for Extraordinary Relief Under the Court's King's Bench Jurisdiction" is GRANTED.



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
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Justice Dougherty did not participate in the consideration or decision of this matter.

April 7, 2020 **Order Exited**

Office of the Prothonotary