

RULE 117. COVERAGE-ISSUING WARRANTS; PRELIMINARY ARRAIGNMENTS AND SUMMARY SUMMARY TRIALS; SETTING AND ACCEPTING BAIL AND OTHER DUTIES

REGULAR BUSINESS HOURS

All magisterial district judge offices shall be open for regular business Monday through Friday, excluding holidays celebrated by the Court of Common Pleas of Crawford County, from 8:30 a.m. to 4:30 p.m. prevailing local time.

CONTINUOUS COVERAGE

There shall be continuous coverage by the judges of magisterial district courts for all of the following purposes with coverage to be provided during non-business hours consistent with the on-call system established for Crawford County in this local rule:

1. Issuance of search warrants pursuant to Pa.R.Crim.P. 203.
2. Issuance of arrest warrants pursuant to Pa.R.Crim.P. 513.
3. Requests to accept bail pursuant to Pa.R.Crim.P. 520(B).
4. Other duties as set forth in Pa.R.Crim.P. 117(A)(2)(a),(b),(c) and (d).
5. Issuance of emergency orders under the Protection from Abuse Act when the Court of Common Pleas of Crawford County is not available.
6. Issuance of emergency orders under the Older Americans Protective Services Act when the Court of Common Pleas of Crawford County is not available.

ON-CALL COVERAGE DURING NON-BUSINESS HOURS

The magisterial district judges shall rotate in performing the duties of on-call magisterial district judge on a weekly basis consistent with a schedule established annually by the Crawford County Court Administrator with the approval of the President Judge. Modifications of this schedule may occur amongst respective magisterial district judges by mutual agreement. Any such modification shall be conveyed to the Crawford County Emergency Management Office by the magisterial district judge who will be serving as the on-call magisterial district judge by mutual agreement. Any additional compensation for subsequent modification of an existing schedule shall be waived.

The weekly on-call duties shall begin on Friday at 4:30 p.m. and continue until the following Friday at 8:30 a.m. unless the magisterial district courts are closed on a Friday in which case the duties shall continue until 4:30 p.m. on Friday.

The on-call magisterial district judge shall provide the following services for all of the magisterial district courts of this county while on-call in the following manner:

1. Continuous coverage for Items 1, 2, 3, 5, 6 in the "Continuous Coverage" section above.

If there is need for the on-call magisterial district judge to perform any of the “Continuous Coverage” duties the Crawford County Emergency Management Office shall be contacted so that the magisterial district judge can be promptly notified. The on-call magisterial district judge will then return the call to the police officer or other person requesting the attention of the on-call magisterial district judge. The Crawford County Emergency Management Office will only contact the on-call magisterial district judge if the request is for one of the items for which “Continuous Coverage” is required as set for above.

2. The on-call magisterial district judge will also be responsible for the following duties required by Pa.R.Crim.P 117(A)(2)(a),(b),(c)and(d) but not on a continuous basis:
 - (a) conduct summary trials or set collateral in summary cases following arrests with a warrant issued pursuant to Rule 430(A) as provided in Rule 431(B)(3) and following arrests without a warrant as provided in Rule 441(C);
 - (b) conduct preliminary arraignments without unnecessary delay whenever a warrant of arrest is executed within the judicial district pursuant to Rule 516;
 - (c) set bail without unnecessary delay whenever an out-of-county warrant of arrest is executed within the judicial district pursuant to Rule 517(A);
 - (d) accept complaints and conduct preliminary arraignments without unnecessary delay whenever a case is initiated by an arrest without warrant pursuant to Rule 519(A)(1)

In order to perform those duties required by Pa.R.Crim.P. 117(A)(2)(a),(b),(c) and (d) the on-call magisterial district judge shall do the following:

Monday through Friday when the magisterial district courts have been open for business during regular business hours the on-call magisterial district judge shall contact the booking officer at the Crawford County Correctional Facility at 9:30 p.m. to determine whether there is a need for the on-call magisterial district judge to perform any of the above duties.

If there is such a need the on-call magisterial district judge shall within one hour appear at the Crawford County Correctional Facility to perform those duties or the on-call magisterial district judge may do so within one hour by two-way audio-visual communication to the extent allowable by Pa.R.Crim.P. 119.

The on-call magisterial district judge shall also call the booking officer at the Crawford County Correctional Facility each weekday morning at 8 a.m. to determine whether there is a need for any of the above services to be performed and that magisterial district judge shall make arrangements for any such matter to be heard no later than 9 a.m. in that magisterial district judge’s court or other appropriate court.

Weekends and Holidays. The magisterial district judge on-call shall contact the booking

officer at the Crawford County Correctional Facility each such day at 8 a.m., 2:30 p.m. and 9:30 p.m. to determine whether there is need for the on-call magisterial district judge to perform any of the above duties.

If there is such a need the on-call magisterial district judge shall within one hour appear at the Crawford County Correctional Facility to perform those duties or the on-call magisterial district judge may do so within one hour by two-way audio-visual communication to the extent allowable by Pa.R.Crim.P. 119.

MAGISTERIAL DISTRICT JUDGE TEMPORARY ASSIGNMENTS

When during regular business hours for magisterial district judges, a judge who has venue over a particular matter is unavailable, any other magisterial district judge in Crawford County is hereby temporarily assigned to serve the magisterial district of the judge who is unavailable. Such an arrangement may be made between respective magisterial district judges by mutual agreement. Any additional compensation for said arrangement will be waived.

OFFICIALS DESIGNATED TO ACCEPT BAIL

Magisterial District Judges and the Clerk of Courts shall be authorized to accept bail in accordance with the provisions and subject to the limitations of the Pennsylvania Rules of Criminal Procedure.