

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
PHILADELPHIA MUNICIPAL COURT**

President Judge Administrative Order

No. 48 of 2020

**In re: Reopening of Philadelphia Municipal Court Civil Division
to In-Person Proceedings**

ORDER

AND NOW, this 13th day of July, 2020, pursuant to Pa.R.J.A. No 1952 (B)(2), the Judicial Emergency declared by the First Judicial District, and upon consideration of Governor Wolf's July 9, 2020 Order regarding Staying Notice Requirements for Specified Actions Related to the Dispossession of Property, **it is hereby ORDERED and DECREED** that the reopening of the Philadelphia Municipal Court Civil Division to in-person proceedings shall be implemented in phases as follows:

- (1) The Court will hear in-person small claims court matters, limiting the number of cases scheduled each day.
- (2) Landlord-Tenant trials and petitions currently scheduled to be heard by the Philadelphia Municipal Court from July 6, 2020 to September 2, 2020 are postponed. They will be rescheduled beginning on or after September 3, 2020
- (3) Landlord-Tenant complaints may be filed with the Philadelphia Municipal Court electronically and in-person (an appointment should be made with the court by those persons who will be filing in-person) beginning on July 13, 2020. Before filing, landlords should review Sections 4023 and 4024 of The Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"), City Council Bill No. 200305 which was enacted on July 1, 2020, and provides for a Mandatory Hardship Repayment Agreement for certain residential tenants, and Governor Wolf's July 9, 2020 Executive Order that suspends eviction notice periods through August 31, 2020 for residential landlord-tenant cases in which the CARES Act is inapplicable and which are based on nonpayment of rent or termination of term. Any landlord-tenant action filed on and after July 10, 2020 will be listed for trial on November 16, 2020 and thereafter.
- (4) The issuance and service of writs and alias writs of possession are stayed until September 3, 2020. In calculating the six-month period set forth in Rule 126(e) ("[a]n alias writ of possession may not be issued after six months from the date of the judgment for possession without leave of court") and the 180-day period for serving alias writs of possession (the practice of the Philadelphia Municipal Court is to serve the alias writ of possession within 180 days from the entry of a judgment for possession), the time from

March 16, 2020 through and including September 2, 2020 shall be excluded from the computation of those time periods.

- (5) Petitions previously filed in code enforcement shall be scheduled or rescheduled on or after July 27, 2020.
- (6) Cases scheduled or rescheduled may be heard, as appropriate, utilizing Advanced Communication Technology as provided by protocols that may be issued from time to time.
- (7) As to Philadelphia Municipal Court cases only, writs of execution and attachment seeking the enforcement of money judgments, including but not limited to garnishment of bank accounts, may be issued and served on or after July 13, 2020.
- (8) **Information Regarding Appeals from Philadelphia Municipal Court Judgments.** A judgment of the Philadelphia Municipal Court may be appealed to the Court of Common Pleas as provided in Philadelphia Rule of Civil Procedure *1001.

To appeal to the Court of Common Pleas parties may email the Office of Judicial Records at OJR_Civil@courts.phila.gov or call (215) 686-4251 to ask about how to file an appeal to the Court of Common Pleas. Office of Judicial Records staff can assist the Appellant with using the Electronic Filing System so that the appealing party may file from home or Office of Judicial Records staff can make an appointment for the appealing party to file in person at the Civil Filing Center in City Hall during normal business hours.

- (9) This Order supersedes conflicting provisions contained in President Judge Order No. 44 of 2020.

BY THE COURT:

/s/ Idee C. Fox
**Hon. Idee C. Fox, President Judge
Court of Common Pleas
Philadelphia County
Chair, Administrative Governing Board**

/s/ Patrick F. Dugan
**Hon. Patrick F. Dugan, President Judge
Philadelphia Municipal Court
Philadelphia County**