IN RE: NEW RULES OF THE CRIMINAL DIVISION OF THE COURT OF COMMON PLEAS OF SUSQUEHANNA COUNTY, PA	: IN THE COURT OF COMMON PLEAS : SUSQUEHANNA COUNTY, PA : : 2026 - 30 AD.

ORDER

NOW, this 13th day of November, 2026, it is hereby Ordered that the attached Susquehanna County Rule of Criminal Procedure 117 and Pennsylvania Rule of Judicial Procedure 605(A)(2). Regional Magisterial District Judge On-Call Coverage., is hereby promulgated to become effective upon publication on the UJS Portal.

BY THE COURT:

JASON J. LEGG, President Judge

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SUSQUEHANNA COUNTY
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CLERK OF COURTS

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ORDER

NOW, this13th day of November, 2026, it is Ordered that, effective upon publication on the UJS Portal, Susquehanna County Rule of Criminal Procedure 117 and Pennsylvania Rule of Judicial Procedure 605(A)(2). Regional Magisterial District Judge On-Call Coverage, is hereby Adopted:

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Rule 117. Regional Magisterial District Judge On-Call Coverage

(A) Purpose

The 34th Judicial District, consisting of Susquehanna County, and the 44th Judicial District, consisting of Wyoming and Sullivan Counties, hereby establish a regional system for after-hours coverage by Magisterial District Judges ("MDJs") for the purposes authorized by Pa.R.Crim.P. 117.

The regional system is intended to provide continuous and reliable access to an issuing authority while promoting the efficient and economical use of judicial resources.

(B) Regional On-Call System

1. After regular business hours, including weekends and court holidays, continuous coverage for the services identified in Pa.R.Crim.P. 117(A)(1) and (A)(2) shall be provided through a regional rotating on-call schedule.

2. The regional on-call schedule shall include the MDJs of the 34th and 44th Judicial Districts, subject to the approval of the President Judges of the respective Judicial Districts.

3. The Court Administrators, or their designees, shall jointly prepare and maintain the regional on-call schedule. The schedule shall be prepared sufficiently in advance and distributed to all MDJs, communication centers in both Wyoming and Susquehanna Couties, PSP Gibson and (barracks in or that cover Wyoming/ Sullivan Counties), prosecutors, and other agencies or persons requiring notice of the designated on-call issuing authority.
4. The President Judges may modify the schedule as necessary to accommodate judicial leave, illness, conflicts, vacancies, emergencies, or other circumstances affecting the availability of an MDJ.

(C) Scope of On-Call Duties

The regional on-call MDJ shall be available without unnecessary delay to perform the duties required by the Pennsylvania Rules of Criminal Procedure, including, but not limited to:

1. issuing search warrants pursuant to Pa.R.Crim.P. 203;
2. issuing arrest warrants pursuant to Pa.R.Crim.P. 513;
3. accepting complaints and conducting preliminary arraignments pursuant to Pa.R.Crim.P. 519;
4. conducting preliminary arraignments pursuant to Pa.R.Crim.P. 516;
5. setting bail pursuant to Pa.R.Crim.P. 517;
6. accepting bail as authorized by the Pennsylvania Rules of Criminal Procedure;
7. conducting summary trials or setting collateral as authorized by Pa.R.Crim.P. 117(A)(2); and
8. performing such other emergency judicial functions as may lawfully be performed by an MDJ during the period of on-call coverage.

(D) Authority of Regional On-Call Judge

1. When designated as the regional on-call MDJ, an MDJ shall have the authority, to the fullest extent permitted by law and the Pennsylvania Rules of Court, to perform the duties of an issuing authority for matters arising within either the 34th or 44th Judicial District during the period of the MDJ's assigned on-call duty.

2. The designation of an MDJ as regional on-call shall not otherwise alter venue, jurisdiction, or the assignment of a case or proceeding for purposes of subsequent proceedings.

3. Nothing in this Rule shall be construed to confer jurisdiction upon an MDJ beyond that authorized by the Pennsylvania Constitution, statutes, statewide Rules of Court, or a valid order of the Supreme Court of Pennsylvania.

4. If a particular proceeding requires a temporary assignment, transfer, or other authorization beyond that provided by this Rule, the President Judge or other authorized judicial officer shall issue such assignment or take such other action as may be required by law.

(E) Location and Advanced Communication Technology

1. The regional on-call MDJ may perform authorized duties from any location approved by the President Judge, provided that the location and method of conducting the proceeding comply with applicable law and statewide Rules of Court.

2. Nothing in this Rule shall prohibit the use of advanced communication technology when authorized by the Pennsylvania Rules of Criminal Procedure or other applicable law.

3. Law enforcement agencies and correctional facilities shall be provided with current contact information for the regional on-call MDJ and shall be advised of the location or communication method through which the MDJ may be reached.

(F) Protection From Abuse and Other Emergency Matters

Nothing in this Rule shall limit or supersede any statutory or statewide Rule of Court requirement concerning the availability of a judicial officer or MDJ for emergency relief, including matters arising under the Protection From Abuse Act, the Older Adults Protective Services Act, or any other statute requiring emergency judicial availability.

(G) Conflicts and Unavailability

1. Absent emergent circumstances an MDJ who is scheduled for regional on-call duty and becomes unavailable shall immediately notify the appropriate Court Administrator by providing correspondence including the reason and dates of unavailability as well as indicating the name of substitute MDJ(s) providing coverage for the prescribed timeframe.
2. A court order delineating such coverage shall be filed and provided to the recipients of the yearly On Call schedule.
3. The substitute MDJ(s) shall assume all duties associated with the regional on-call assignment for the designated period.

(H) Public and Agency Notice

The regional on-call schedule shall be maintained by the Court Administrators and made available to PSP, communication centers for Wyoming and Sullivan Counties as well as Susquehanna County, the offices of the District Attorneys, and other appropriate governmental agencies.

The schedule shall identify the dates and times of coverage and the method by which the on-call MDJ may be contacted.

(I) Regular Business Hours

This Rule governs regional after-hours coverage only. Nothing in this Rule alters the regular business-hour operations, venue, assignment of cases, or ordinary responsibilities of any Magisterial District Court.

(J) Effective Date

This Rule shall become effective thirty (30) days after publication in the Pennsylvania Bulletin, or as otherwise provided by the Pennsylvania Rules of Criminal Procedure.

(K) Review and Modification

The President Judges of the 34th and 44th Judicial Districts may jointly review and modify the regional on-call system as necessary to ensure adequate coverage, efficient administration of justice, and compliance with the Pennsylvania Rules of Criminal Procedure.

Nothing in this Rule shall prevent either Judicial District from terminating its participation in the regional on-call system upon reasonable written notice to the other Judicial District and the Administrative Office of Pennsylvania Courts.

BY THE COURT:

JASON J. LEGG, President Judge

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