



CLINTON COUNTY

LOCAL ADMINISTRATIVE ORDER: Concerning Magisterial Judicial District Coverage

1. Normal Business Hours:

- a. Normal business hours shall be construed as Monday, Tuesday, Thursday, and Friday from 8:00 A.M. until 5:00 P.M. and Wednesday from 8:00 A.M. until 12:30 P.M. except when a Court holiday has been declared.
- b. All Court proceedings normally conducted before a Magisterial District Judge during normal business hours shall be conducted at the established office of the appropriate Magisterial District Judge as determined by the Rules relating to venue. When, during regular business hours, the Magisterial District Judge

who has venue over a particular matter is unavailable, any other Magisterial District Judge is hereby temporarily assigned to serve the Magisterial District or in accordance with special Orders issued from time to time by the Court.

2. On Call Magisterial District Judge:

- a. The Court Administrator shall establish a rotating schedule assigning a Magisterial District Judge to be on call outside of normal business hours of the Court to perform all duties of an issuing authority as required by the Rules of Criminal or Civil Procedure and the Protection From Abuse Act.

3. Bail, Search and Arrest Warrants, and Protection From Abuse Petitions:

- a. The on-call Magisterial District Judge shall be available without unreasonable delay at all times at his or her established office for the purpose of accepting the posting of a defendant's bail. Monetary bail may also be posted outside of regularly scheduled hours at the Clinton County Correctional Facility. The Warden of the Correctional Facility, or his designee, is authorized to accept bail bonds and deposits as provided in Pa.R.Crim.P. 117 by having the defendant sign the bail bond, releasing the defendant, and delivering the bail deposit and/or bail bond and the surety information page to the issuing authority or the Clerk of Courts by the close of the next business day.

- b. The on-call Magisterial District Judge shall be available without unreasonable delay at his or her established office for the issuance of search warrants pursuant to Rule 203, arrest warrants pursuant to Rule 513, and Emergency Protection From Abuse Orders. Advanced communication technology may be utilized to submit the warrant application and affidavits and to issue the warrant in accordance with the requirements of the Criminal Rules.

4. Arraignments Outside Normal Business Hours:

When an individual is placed under arrest and/or requires preliminary arraignment or processing:

- a. The individual shall be taken to the Clinton County Correctional Facility.
- b. The on-call Magisterial District Judge shall be contacted by the Correctional Facility staff at 8:00 A.M. and 8:00 P.M. and advised if any individual has been temporarily detained. Individuals so detained shall be promptly arraigned through the use of advanced communication technology.

5. Bench Warrants in Court Cases:

- a. Any individual executing a court case bench warrant shall proceed in accordance with Rule 150 and shall notify the Court Administrator no later than 8:30 A.M. the next business day that the subject of the warrant is in custody.
- b. When the subject of a warrant has been delivered to the Clinton County Correctional Facility or has voluntarily surrendered pursuant to the issuance of a warrant, the Warden of the Clinton County Correctional Facility shall immediately notify the Court Administrator that the subject of the warrant is in custody or, if the warrant has been executed after the close of the business day, no later than 8:30 A.M. on the next business day.
- c. Upon receiving notice that a bench warrant has been executed or that the subject has surrendered, the Court Administrator shall immediately notify the issuing Judge, the issuing Magisterial District Judge, the District Attorney, and counsel of record, and the Public Defender that the subject is in custody. After consultation with the Judge, the Court Administrator shall schedule a hearing as soon as possible but not later than seventy-two (72) hours after the subject has been lodged in the Correctional Facility. The Court Administrator may give oral notice of this hearing, along with written notice, and shall maintain a record of that notice.

6. Summary Offense Arrest Warrants and Bench Warrants:

- a. An individual executing an arrest warrant or a bench warrant in a summary offense shall proceed in accordance with Rules 440 and 441 and shall follow the procedures as set forth above.