

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
PHILADELPHIA MUNICIPAL COURT**

President Judge Administrative Order

ADMINISTRATIVE ORDER No. 23 of 2020

In re: Philadelphia Municipal Court Judges Sitting as Arraignment Court Magistrates

AND NOW, this 27th day of March, 2020, in consideration of the public health emergency created by COVID-19, emergency declarations issued by the Supreme Court of Pennsylvania, Governor Tom Wolf and May James F. Kenney, the need for all Philadelphia residents to remain at home or at their place of residence to avoid spreading COVID-19, and the additional scheduling issues created by there being two Arraignment Court Magistrate positions currently open, it is hereby ORDERED that:

1. The President Judge of the Philadelphia Municipal Court may authorize and schedule judges of the Philadelphia Municipal Court to sit as Arraignment Court Magistrates and to perform all of the duties of an Arraignment Court Magistrate as are set forth in Sections 8.00, 8.01, 8.02, 9.00 and 9.01 of the rules governing Arraignment Court Magistrates. Those duties include the following: setting bail at the Preliminary Arraignment; advising defendants of their right to counsel and appointing counsel to indigent defendants at the Preliminary Arraignment; issuing search, seizure and arrest warrants after a review of probable cause affidavits that have been approved by the attorney for the Commonwealth and upon a showing of probable cause; and issuing nighttime search and seizure warrants after a review of probable cause affidavits that have been approved by the attorney for the Commonwealth, upon a showing of probable cause, and a showing of additional reasonable cause.

2. When a judge of the Philadelphia Municipal Court is sitting as an Arraignment Court Magistrate pursuant to paragraph 1 above, an appeal from that judge's decision concerning bail shall not be to the Philadelphia Municipal Court judge who was specifically designated by the President Judge to hear such appeals. Rather, any such appeal shall be filed as a "Motion for Modification of Bail," captioned "***Emergency Motion for Modification of Bail***" referencing in the Motion that the bail ordered by the Municipal Court judge is being appealed. The Motion will be assigned to an appropriate judge of the Court of Common Pleas for disposition as provided in AGB Administrative Order No. 22 of 2020, In re: *Expedited Criminal Motions*.

BY THE COURT:

/s/ ***Patrick F. Dugan***

HON. PATRICK F. DUGAN,
President Judge