

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

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**No. 62 of 2020**

**President Judge Administrative Order**

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**In re: ELECTION DAY JUDICIAL ASSIGNMENTS**

**2020 General Election - Tuesday, November 3, 2020**

**ORDER**

AND NOW, this 9<sup>th</sup> day October, 2020, the following Election Court assignments are made, which shall supersede other assignments during the scheduled Election Court hours only.

I. CENTRAL ELECTION COURT ASSIGNMENTS. JURISDICTION.– November 3, 2020  
The Justice Juanita Kidd Stout Center for Criminal Justice -

The Justice Juanita Kidd Stout Center for Criminal Justice, Courtrooms 304 and 305, will be the central location for the November 3, 2020 General Election.

Central Election Court will convene at 7:00 AM and will remain open continuously until 10:00 PM. All election matters will be heard in Courtrooms 304 and 305.

Judges assigned to the Central Election Court will have jurisdiction over all election matters, and shall, as provided in 25 P.S. § 3046:

- **act as a committing magistrate for any violation of the election laws;**
- **settle summarily controversies that may arise with respect to the conduct of the election;**
- **issue process, if necessary, to enforce and secure compliance with the election laws;**
- **decide such other matters pertaining to the election as may be necessary to carry out the intent of the Election Code; and**
- **when an individual is seeking a judicial order to vote, inform the individual of the provisional ballot process set forth in 25 P.S. § 3050. Section 3050 provides, *inter alia*:**
  - **an individual who claims to be properly registered and eligible to vote at the election district but whose name does not appear on the district register and whose registration cannot be determined by the inspectors of election or the county election board shall be permitted to cast a provisional ballot.**
  - **Prior to voting the provisional ballot, the elector shall be required to execute an affidavit which must be signed by the voter, the Judge of Election and minority inspector.**

- **After the provisional ballot has been cast, the individual shall place it in a secrecy envelope. The individual shall place the secrecy envelope in the provisional ballot envelope and shall place his signature on the front of the provisional ballot envelope.**

No judge who is not assigned to Central Election Court shall take any action with respect to any election matter, unless prior approval is obtained from the President Judge.

The following Judges are assigned:

	<u>Judge</u>	<u>Courtroom</u>	<u>Court Reporter</u>
7 AM to 2:30 PM	To Be Announced	304 or 305 Stout Center	Sharon Ricci
	To Be Announced	304 or 305 Stout Center	Kim Wilson
2:30 PM to 10 PM	To Be Announced	304 or 305 Stout Center	John Kurz
	To Be Announced	304 or 305 Stout Center	Sherri Benson

## II. STANDBY ASSIGNMENTS

Judges with standby assignments may only be called upon by the President Judge to preside in Central Election Court in the event of unforeseen events. All of the standby judges must be available between the hours of 7 AM and 10 PM either in their chambers or at home.

Honorable Idee C. Fox  
Additional Judges will be assigned as necessary

## III. SCHEDULING AND HEARING PROTOCOL

**The following Protocol shall be followed when a hearing is requested:**

- 1) The assigned Judges and other necessary personnel (Court Clerk, Court Crier, Court Reporter, Sheriff) will be present in-person in the assigned Courtrooms between 7:00 AM and 10:00 PM.
- 2) Unless the assigned Judge directs otherwise, counsel must appear in-person. Witnesses are encouraged to testify through Zoom.
- 3) No cameras or recording devices are permitted in the Courtrooms.
- 4) All requests for hearings must be communicated to the Office of Judicial Records (“OJR”) by phone at: **267-582-0763**. OJR personnel will be stationed in the lobby of the Stout Center from 7:00 AM until 10:00 PM, and will direct the parties to the appropriate Courtroom upon confirming the availability of all parties in interest. Parties who are to participate through Zoom will be provided the Zoom link by the Court.
- 5) All persons attending election hearings in-person must wear an appropriate face mask or facial covering, must follow social distancing guidelines, and must comply with other directives from the Court or Court staff.
- 6) The assigned Judge may proceed with the hearing by taking testimony and may require the filing of written pleadings, as necessary.
- 7) The public will be permitted to attend election hearings in the courtroom where hearings are being held, subject to social distancing guidelines and other Court directives.
- 8) Judicial proceedings cannot be recorded, transmitted or broadcast by anyone. The parties are specifically informed that:

***It is unlawful and a criminal offense to record, transmit or broadcast video, audio or photograph of any judicial proceeding and violators may be found to be in contempt of court and may be criminally charged with a misdemeanor punishable by imprisonment of up to two years for a first offense. See Pa.R.J.A. 1910, Pa.R.Crim.P. 112 and 18 Pa.C.S. § 5103.1.***

#### IV. ELECTION BOARD PETITIONS

*Petitions to Fill Vacancies in Election Boards* (judge of election, majority inspector, minority inspector) must be electronically filed no later than 3:00 p.m. on Wednesday, October 14, 2020 through the Court's electronic filing website at: [www.courts.phila.gov](http://www.courts.phila.gov) pursuant to Pa.R.C.P. No. 205.4 and Philadelphia Civil Rule \*205.4. Assistance with electronic filing shall be provided through the Office of Judicial Records (formerly "Prothonotary") by Appointment, which may be scheduled by calling (215) 686-4251, or by emailing [OJR\\_Civil@courts.phila.gov](mailto:OJR_Civil@courts.phila.gov).

The Petitioner shall serve the City Commissioners and the Democratic/Republican City Committees, as applicable, as provided in the Order to Show Cause.

Hearings on the *Petitions to Fill Vacancies in Election Boards* will be held through Zoom on Wednesday, October 21, 2020, at 10:00 a.m., President Judge Idee C. Fox or her designee presiding. Unless terminated earlier as provided by law, the term of office of any person appointed to fill a vacancy in the Election Board shall continue for the remainder of the vacancy.

#### V. IMPORTANT DEADLINES

The Court notes following deadlines involving challenges to absentee and mail-in ballots:

- October 30, 2020: Deadline for challenges to absentee and mail-in ballots and applications. *See* 25 P.S. §§ 3146.2b(c), 3150.12b(a)(3), 3146.8(g)(4).
- November 6, 2020: Deadline for county board of elections to hold hearing on challenges. *See* 25 P.S. § 3146.8(g)(5).
- Deadline for appeal to Court of Common Pleas: Two days after decision of county board on ballot challenges, and other issues, "... whether then reduced to writing or not..." *See* 25 P.S. §§ 3146.8(g)(6), 3157(a).
- Deadline for Court of Common Pleas to Schedule Hearing: Three days after payment of the appeal fee. *See* 25 P.S. § 3157(a).

## VI. APPEALS FROM BOARD OF ELECTION DECISIONS ON CHALLENGES TO ABSENTEE AND MAIL-IN BALLOTS. POST-ELECTION MATTERS

Decisions of the Board of Elections on challenges to absentee and mail-in ballots and post-election matters will be heard by Court of Common Pleas Judges specifically assigned by the President Judge, as may be necessary.

### **The following Protocol shall be followed in connection with a scheduled hearing:**

- 1) All appeals from the decisions of the Board of Elections on challenges to absentee and mail-in ballots, and other matters shall be scheduled and heard as soon as practicable in-person at the Philadelphia Municipal Court Traffic Division, located at Eighth and Spring Garden Streets, Philadelphia, PA.
- 2) All required pleadings must be filed by the applicable deadline through the Court's electronic filing website at: [www.courts.phila.gov](http://www.courts.phila.gov) pursuant to Pa.R.C.P. No. 205.4 and Philadelphia Civil Rule \*205.4. Assistance with electronic filing shall be provided through the Office of Judicial Records (formerly the "Prothonotary") by Appointment, which may be scheduled by calling (215) 686-4251, or by emailing [OJR\\_Civil@courts.phila.gov](mailto:OJR_Civil@courts.phila.gov).
- 3) Unless otherwise provided, appeals from Board of Election decisions on absentee and mail-in ballot challenges will be scheduled and heard during normal business hours, during work-days, as follows:
  - (a) Appeals filed from 12:01 AM to 9:00 AM, will be heard the same day at 10:00 AM;
  - (b) Appeals filed from 9:01 AM to Noon, will be heard the same day at 1:00 PM;
  - (c) Appeals filed from 12:01 PM to 2:00 PM, will be heard the same day at 3:00 PM;
  - (d) Appeals filed from 2:01 PM to 5:00 PM, will be heard the same day at 6:00 PM;
  - (e) Appeals filed after 5:01 PM to Midnight, will be heard the following business day, at 10:00 AM.
- 4) All persons attending election hearings in-person must wear an appropriate mask or facial covering, must follow social distancing guidelines, and must comply other directives from Court staff.
- 5) The public will be permitted to attend election hearings in the courtroom where hearings are being held, subject to social distancing guidelines and other court directives.
- 6) No cameras or recording devices are permitted in the Courtroom(s).
- 7) Judicial proceedings cannot be recorded, transmitted or broadcast by anyone. The parties are specifically informed that:

***It is unlawful and a criminal offense to record, transmit or broadcast video, audio or photograph of any judicial proceeding and violators may be found to be in contempt of court and may be criminally charged with a misdemeanor punishable by imprisonment of up to two years for a first offense. See Pa.R.J.A. 1910, Pa.R.Crim.P. 112 and 18 Pa.C.S. § 5103.1.***

VII. OFFICIAL ELECTION COUNT

The official election count will commence immediately upon the close of the polls on November 3, 2020, at the Philadelphia Convention Center.

\*This Election Schedule is available on the First Judicial District website at: [ww.courts.phila.gov](http://ww.courts.phila.gov).

**BY THE COURT:**

*/s/ Idee C. Fox*

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**Honorable Idee C. Fox, President Judge  
Court of Common Pleas**