# York Kegal Record

A Record of Cases Argued and Determined in the Various Courts of York County

Vol. 134

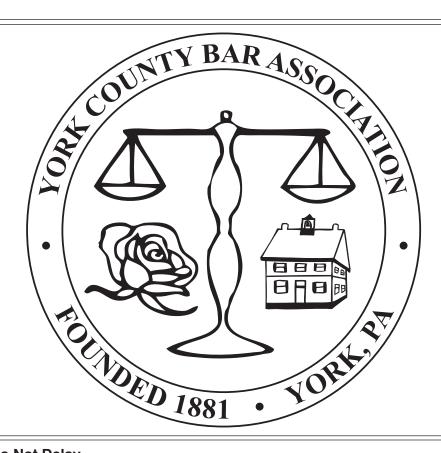
#### YORK, PA, THURSDAY, APRIL 2, 2020

No. 1

#### **EMERGENCY NOTICES**

- York County Court of Common Pleas Emergency Operations Schedule (effective March 25 – April 14) Revised 3-25-2020
- 2. Resources for the Legal Profession During COVID-19
- Coronavirus: Tech Issues For Lawyers Working At Home Sharon D. Nelson, Esquire, John W. Simek and Michael C. Maschke
- 4. Memo to Defense Bar Regarding Review of Incarceration Cases in Light of COVID-19 - David W. Sunday, Jr., District Attorney
- 5. General Statewide Judicial Emergency Supplemental Order Supreme Court of Pennsylvania
- AOPC Guidance on Custody Orders H. Geoffrey Moulton, Jr, Court Administrator, Administrative Office of Pennsylvania Courts
- Per Curiam Order No. 63 MM 2020 Firearms Supreme Court of Pennsylvania Middle District
- 8. Concurring and Dissenting Statement No. 63 MM 2020 Firearms Supreme Court of Pennsylvania Middle District
- 9. In-Person Requirement Suspended for Court Reporters Pennsylvania Department of State

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**Dated Material Do Not Delay** 

# Lawyers Concerned for Lawyers

York Support Group Meetings 2<sup>nd</sup> Thursday of each month

#### April 9, 2020 next meeting

Strictly confidential program for anyone dealing with alcohol or drug issues, depression, bipolar issues, eating disorders, gambling, etc.

For additional information and locations of each meeting – Call LCL 800-335-2572 or anonymously to Cheryl Kauffman 717-854-8755 x203 at the York Bar Association

All information confidential

## York Bar Center Operations Update

The YCBA/YCBF/York **Legal Record offices are** operating under regular business hours (8:30 am-4:30 pm). All business is being conducted via internet, telephone and email. Please call 717-854-8755 with any questions or email info@yorkbar.com Admittance to and use of the Bar Center is limited to staff and key leadership until further notice.

## The York Legal Record is seeking articles

on current legal topics such as case law summaries, legislative updates, or other issues that may be of interest to subscribers. Submissions should be no more than one page in length and should be educational, not promotional, in nature. All submissions are subject to the review and approval of the Publication Board.

Submitters are eligible for a special offer of \$200 for a full-page color advertisement to run along with their article.

Send submissions and inquiries to Jennifer Mischke at yorklegalrecord@yorkbar.com

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### Emergency Operations Schedule (effective March 25 – April 14)

| Monday   | Tuesday  | Wednesday   | Thursday   | Friday   |
|--|--|---|--|--|
|  |  | (a.m.)  |  |  |
| KJP (6006) – juv. dep.<br>CWV (6003) – PFA<br>MDM (7003) – PFA<br>HMN (7004) – crim. duty<br>WDN (6002) – juv. dep./del.   | KJP (7003) – juv. dep.<br>MWF (6004) – juv. del.<br>GMS (6001) – crim. duty<br>SHG (6002) – juv. dep./del. | AMS (7001) – fam. motions<br>AAK (7003) – juv. dep.<br>JCA (7005) – juv. del.<br>MMC (7006) – crim. duty<br>MCK (6002) – juv. dep./del. | CWV (6003) – PFA<br>MDM (7003) – PFA<br>TRP (6006) – juv. dep.<br>GMS (6001) – crim. duty<br>JTB (6002) – juv. dep./del.                           | MWF (6004) – juv. del.<br>MMC (7006) – crim. duty<br>LMM (6002) – juv. dep./del. |
|  |  | (p.m.)  |  |  |
| KJP (6006) – fam. duty<br>WDN (6002) – juv. dep./del.<br>HMN (7004) – crim. duty<br>CWV (6003) – civ. &<br>orphans' duty<br>MDM (7003) – civ. &<br>orphans' duty | SHG (6002) – juv. dep./del.<br>MWF (6004) – juv. del.<br>GMS (6001) – crim. duty<br>KJP (7003) – fam. duty | AAK (7003) – juv. dep.<br>AMS (7001) – fam. duty<br>MMC (7006) crim. duty<br>MCK (6002) – juv. dep./del.                                | TRP – juv. dep & fam. duty GMS (6001) – crim. duty CWV (6003) – civ. & orphans' duty MDM (7003) – civ. & orphans' duty JTB (6002) – juv. dep./del. | MWF (6004) – fam. Duty<br>MMC (7006) crim. duty<br>LMM (6002) – juv. dep./del    |

## **RESOURCES FOR THE LEGAL PROFESSION DURING COVID-19**

We recognize that collateral effects of the pandemic can impact our mental health. We offer the following resources to help you manage potential mental health, recovery, and professional challenges.

#### CENTERS FOR DISEASE CONTROL AND PREVENTION

The CDC site is likely to offer the most up to date information on the COVID-19 virus. <a href="https://www.cdc.gov">www.cdc.gov</a>

#### PENNSYLVANIA DEPARTMENT OF HEALTH

This Pennsylvania resource is continually updated with recommendations and data. <a href="https://www.health.pa.gov/topics/disease/Pages/Coronavirus.aspx">www.health.pa.gov/topics/disease/Pages/Coronavirus.aspx</a>

### OFFICE MANAGEMENT/LEADERSHIP

"The Leader's Guide To Managing COVID-19 Panic" by Jan Bruce www.forbes.com/sites/janbruce/2020/03/05/the-leaders-guide-to-managing-covid-19-panic/#726c5e5d59ea

"8 Strategies to Set Up Remote Work During the Coronavirus Outbreak" by Marten Mickos www.fastcompany.com/90475330/8-strategies-to-set-up-remote-work-during-the-coronavirus-outbreak.

#### SOCIAL DISTANCING

"Stigma and Resilience" published by the CDC www.cdc.gov/coronavirus/2019-ncov/about/related-stigma.html

*"Tips for Social Distancing, Quarantine, And Isolation During an Infectious Disease Outbreak"* published by SAMHSA SEE pages 6-9

"Dealing with Social Isolation" by Brian Cuban, author of "The Addicted Lawyer" www.briancuban.com/blog/dealing-with-social-isolation/

"100 things to do while stuck inside due to a pandemic" published by USA TODAY www.usatoday.com/story/life/health-wellness/2020/03/16/coronavirus-quarantine-100-things-dowhile-trapped-inside/5054632002/

Free Online Courses from Ivy League schools.

www.freecodecamp.org/news/ivy-league-free-online-courses-a0d7ae675869/

Free (until April 1), *Yoga from Down Dog* app. www.downdogapp.com/web

#### **HELPLINES**

**The National Suicide Prevention Lifeline** provides 24/7, free and confidential support for people in distress, prevention and crisis resources for you or your loved ones, and best practices for professionals. 1-800-273-TALK

www.suicidepreventionlifeline.org

**Crisis Text Line** serves anyone, in <u>any</u> type of crisis, providing access to free, 24/7 support and information via a medium people already use and trust: text.

Text "HOME" to 741741 www.crisistextline.org

#### STRESS AND ANXIETY

"Mental Health and Coping During COVID-19" published by the CDC www.cdc.gov/coronavirus/2019-ncov/about/coping.html

*"7 science-based strategies to cope with coronavirus anxiety"* by Jelena Kecmanovic www.theconversation.com/7-sciencebased-strategies-to-cope-with-coronavirus-anxiety-133207

"[Lawyer] Anxiety, Self-Protective Behavior, Ethical Sinkholes, and Professional Responsibility" by Dan Defoe

www.psycholawlogy.com/2015/08/10/lawyer-anxiety-self-protective-behavior-ethical-sinkholes-and-professional-

responsibility/?utm\_source=feedburner&utm\_medium=feed&utm\_campaign=Feed%3A+Psycholawlog y+%28Psycholawlogy%29

*"Coronavirus and your mental health: Two experts explain why we panic and how to cope"* by By Joanna Chiu

www.thestar.com/news/canada/2020/03/11/coronavirus-and-your-mental-health-two-experts-explain-why-we-panic-and-how-to-cope.html

"How do you keep down your stress levels at the office?" by Stephen Rynkiewicz www.abajournal.com/news/article/how-do-you-reduce-stress.

#### STAYING MENTALLY HEALTHY

*"Taking Care of Your Mental Health in the Face of Uncertainty"* published by the American Foundation for Suicide Prevention.

www.afsp.org/taking-care-of-your-mental-health-in-the-face-of-uncertainty/

"Staying Mentally Healthy During the Coronavirus" published by The Change Direction initiative www.changedirection.org/staying-mentally-healthy-during-covid-19/

National Alliance on Mental Illness (NAMI) offers these **tips for people with mental illness**. www.nami.org/About-NAMI/NAMI-News/2020/NAMI-Updates-on-the-Coronavirus

"COVID-19 (Coronavirus) Information and Resources" published by National Alliance on Mental Illness (NAMI)

www.nami.org/getattachment/About-NAMI/NAMI-News/2020/NAMI-Updates-on-the-Coronavirus/COVID-19-Updated-Guide-1.pdf?lang=en-US

Depression and Bipolar Support Alliance Online Support Groups

www.dbsalliance.org/support/chapters-and-support-groups/online-support-groups/

"Speaking Out to End Stigma" (three-minute video) published by American Bar Association www.americanbar.org/groups/lawyer\_assistance/profession\_wide\_anti\_stigma\_campaign/

The remainder of this page was left blank intentionally.

#### **Online and Virtual Recovery Support Resource List**

(Thanks to Pro-A for compiling most of this list. www.pro-a.org)

Alcoholics Anonymous - Offers on line support through their online intergroup link here

Al-Anon - Online support meetings for loved ones of individuals with substance use disorder link here

Cocaine Anonymous – Online Services for CA link here

In the Rooms - Online Recovery Meetings - In The Rooms with a simple goal in mind: to give recovering addicts a place to meet and socialize when they're not in face-to-face meetings. A global online community with over 500,000 members who share their strength and experience with one another daily. Through live meetings, discussion groups, and all the other tools In the Rooms. Link here

**LifeRing** – Secular Recovery is an organization of people who share practical experiences and sobriety support. There are as many ways to live free of drugs and alcohol as there are stories of successful sober people. LifeRing Secular Recovery on line support link **here** 

**MarijuanaAnonymous** – District 13 online fellowship of people who share our experience, strength, and hope with one another to solve common problem and help others to recover from pot addiction. Link **here** 

Narcotics Anonymous – Offers a variety of online and skype meeting options. Link here

**The Phoenix** – Recovery Community Organization offering live stream Crossfit, Yoga and Meditation daily every two hours through the COVID Crisis. Link <a href="here">here</a>

Recovery Dharma - Offers online support meetings with buddhist-based philosophy. Link here

**Reddit Recovery** – Redditors in recovery to hang out, share experiences, and support each other. Discuss the various ways to achieve and maintain a life free from active addiction. Everyone is welcome. Link <a href="https://example.com/here-production-necessarily-com/here-production-n

**Refuge Recovery** – Refuge Recovery is grounded in the belief that Buddhist principles and practices create a strong foundation for a path to freedom from addiction. This program is an approach to recovery that understands: All individuals have the power and potential to free themselves from the suffering that is caused by addiction. Link to online support here

**SMART Recovery** – Self-Management And Recovery Training (SMART) is a global community of mutual-support groups. They offer online support and forums including a chat room and message board. Link **here** 

**SoberCity** – Soberocity could be a great solution for you if you're looking for an online community that occasionally also has live events across the country. Link here

**Sobergrid** – A platform to help anyone get sober and stay sober. Some join to get support, others to give it. Each free download, post, and connection create an opportunity to stay sober while helping others do the same. Link here

**Soberistas** – International Online Recovery Community online-only community is worldwide, which makes it easy to connect with like-minded women who are friendly, non-judgmental, and helping each other kick the booze and stay sober. Link- Here

**Sober Recovery** - The forums of Sober Recovery are a great place for people with substance use disorder to find assistance and helpful information. The community has more than 168,000 people who are recovering from substance use disorder and/or codependence, as well as their friends and family. Link here

**We Connect Recovery** - Online recovery support groups will be available daily. They are open to anyone who is dealing with substance use, mental health concerns, disordered eating, as well as any other quality of life concerns. Everyone is welcome no matter your pathway to recovery or recovery status. Link <a href="here">here</a>



# TAKING CARE OF YOUR BEHAVIORAL HEALTH

# Tips For Social Distancing, Quarantine, And Isolation During An Infectious Disease Outbreak

#### What Is Social Distancing?

Social distancing is a way to keep people from interacting closely or frequently enough to spread an infectious disease. Schools and other gathering places such as movie theaters may close, and sports events and religious services may be cancelled.

#### What Is Quarantine?

Quarantine separates and restricts the movement of people who have been exposed to a contagious disease to see if they become sick. It lasts long enough to ensure the person has not contracted an infectious disease.

#### What Is Isolation?

Isolation prevents the spread of an infectious disease by separating people who are sick fromthose who are not. It lasts as long as the disease is contagious.

#### Introduction

In the event of an infectious disease outbreak, local officals may require the public to take measures to limit and control the spread of the disease. This tip sheet provides information about **social distancing**, **quarantine**, and **isolation**. The government has the right to enforce federal and state laws related to public health if people within the country get sick with highly contagious diseases that have the potential to develop into outbreaks or pandemics.

This tip sheet describes feelings and thoughts you may have during and after social distancing, quarantine, and isolation. It also suggests ways to care

for your behavioral health during these experiences and provides resources for more help.

#### What To Expect: Typical Reactions

Everyone reacts differently to stressful situations such as an infectious disease outbreak that requires social distancing, quarantine, or isolation. People may feel:

- Anxiety, worry, or fear related to:
  - Your own health status
  - The health status of others whom you may have exposed to the disease
  - The resentment that your friends and family may feel if they need to go into quarantine as a result of contact with you
  - The experience of monitoring yourself, or being monitored by others for signs and symptoms of the disease
  - Time taken off from work and the potential loss of income and job security
  - The challenges of securing things you need, such as groceries and personal care items
  - Concern about being able to effectively care for children or others in your care
  - Uncertainty or frustration about how long you will need to remain in this situation, and uncertainty about the future
  - Loneliness associated with feeling cut off from the world and from loved ones
  - Anger if you think you were exposed to the disease because of others' negligence
  - Boredom and frustration because you may not be able to work or engage in regular day-to-day activities
  - Uncertainty or ambivalence about the situation
  - A desire to use alcohol or drugs to cope
  - Symptoms of depression, such as feelings of hopelessness, changes in appetite, or sleeping

#### Taking Care of Your Behavioral Health:

TIPS FOR SOCIAL DISTANCING, QUARANTINE, AND ISOLATION DURING AN INFECTIOUS DISEASE OUTBREAK

- too little or too much
- Symptoms of post-traumatic stress disorder (PTSD), such as intrusive distressing memories, flashbacks (reliving the event), nightmares, changes in thoughts and mood, and being easily startled

If you or a loved one experience any of these reactions for 2 to 4 weeks or more, contact your health care provider or one of the resources at the end of this tip sheet.

#### Ways To Support Yourself During Social Distancing, Quarantine, and Isolation

#### UNDERSTAND THE RISK

Consider the real risk of harm to yourself and others around you. The public perception of risk during a situation such as an infectious disease outbreak is often inaccurate. Media coverage may create the impression that people are in immediate danger when really the risk for infection may be very low. Take steps to get the facts:

- Stay up to date on what is happening, while limiting your media exposure.
   Avoid watching or listening to news reports 24/7 since this tends to increase anxiety and worry. Remember that children are especially affected by what they hear and see on television.
- Look to credible sources for information on the infectious disease outbreak (see page 3 for sources of reliable outbreak-related information).

#### **BE YOUR OWN ADVOCATE**

Speaking out about your needs is particularly important if you are in quarantine,

since you may not be in a hospital or other facility where your basic needs are met. Ensure you have what you need to feel safe, secure, and comfortable.

- Work with local, state, or national health officials to find out how you can arrange for groceries and toiletries to be delivered to your home as needed.
- Inform health care providers or health authorities of any needed medications and work with them to ensure that you continue to receive those medications.

#### **EDUCATE YOURSELF**

Health care providers and health authorities should provide information on the disease, its diagnosis, and treatment.

- Do not be afraid to ask questions—clear communication with a health care provider may help reduce any distress associated with social distancing, quarantine, or isolation.
- Ask for written information when available.
- Ask a family member or friend to obtain information in the event that you are unable to secure this information on your own.

## WORK WITH YOUR EMPLOYER TO REDUCE FINANCIAL STRESS

If you're unable to work during this time, you may experience stress related to your job status or financial situation.

- Provide your employer with a clear explanation of why you are away from work.
- Contact the U.S. Department of Labor tollfree at 1-866-487-2365 about the Family and Medical Leave Act (FMLA), which allows U.S. employees up to 12 weeks of unpaid leave for serious medical conditions, or to care for a family member with a

#### Taking Care of Your Behavioral Health:

TIPS FOR SOCIAL DISTANCING, QUARANTINE, AND ISOLATION DURING AN INFECTIOUS DISEASE OUTBREAK

- serious medical condition.
- Contact your utility providers, cable and Internet provider, and other companies from whom you get monthly bills to explain your situation and request alternative bill payment arrangements as needed.

#### **CONNECT WITH OTHERS**

Reaching out to people you trust is one of the best ways to reduce anxiety, depression, loneliness, and boredom during social distancing, quarantine, and isolation. You can:

- Use the telephone, email, text messaging, and social media to connect with friends, family, and others.
- Talk "face to face" with friends and loved ones using Skype or FaceTime.
- If approved by health authorities and your health care providers, arrange for your friends and loved ones to bring you newspapers, movies, and books.

#### Sources for Reliable Outbreak-Related Information

Centers for Disease Control and Prevention 1600 Clifton Road Atlanta, GA 30329-4027 1-800-CDC-INFO [1-800-232-4636] http://www.cdc.gov

#### **World Health Organization**

Regional Office for the Americas of the World Health Organization 525 23rd Street, NW Washington, DC 20037 202-974-3000 http://www.who.int/en

- Sign up for emergency alerts via text or email to ensure you get updates as soon as they are available.
- Call SAMHSA's free 24-hour Disaster Distress Helpline at 1-800-985-5990, if you feel lonely or need support.
- Use the Internet, radio, and television to keep up with local, national, and world events.
- If you need to connect with someone because of an ongoing alcohol or drug problem, consider calling your local Alcoholics Anonymous or Narcotics Anonymous offices.

#### **TALK TO YOUR DOCTOR**

If you are in a medical facility, you may have access to health care providers who can answer your questions. However, if you are quarantined at home, and you're worried about physical symptoms you or your loved ones may be experiencing, call your doctor or other health care provider:

- Ask your provider whether it would be possible to schedule remote appointments via Skype or FaceTime for mental health, substance use, or physical health needs.
- In the event that your doctor is unavailable and you are feeling stressed or are in crisis, call the hotline numbers listed at the end of this tip sheet for support.

#### **USE PRACTICAL WAYS TO COPE AND RELAX**

- Relax your body often by doing things that work for you-take deep breaths, stretch, meditate or pray, or engage in activities you enjoy.
- Pace yourself between stressful activities, and do something fun after a hard task.
- Talk about your experiences and feelings to loved ones and friends, if you find it helpful.
- Maintain a sense of hope and positive

#### Taking Care of Your Behavioral Health:

TIPS FOR SOCIAL DISTANCING, QUARANTINE, AND ISOLATION DURING AN INFECTIOUS DISEASE OUTBREAK

thinking; consider keeping a journal where you write down things you are grateful for or that are going well.

## AFTER SOCIAL DISTANCING, QUARANTINE, OR ISOLATION

You may experience mixed emotions, including a sense of relief. If you were isolated because you had the illness, you may feel sadness or anger because friends and loved ones may have unfounded fears of contracting the disease from contact with you, even though you have been determined not to be contagious.

The best way to end this common fear is to learn about the disease and the actual risk to others. Sharing this information will often calm fears in others and allow you to reconnect with them.

If you or your loved ones experience symptoms of extreme stress—such as trouble sleeping, problems with eating too much or too little, inability to carry out routine daily activities, or using drugs or alcohol to cope—speak to a health care provider or call one of the hotlines listed to the right for a referral.

If you are feeling overwhelmed with emotions such as sadness, depression, anxiety, or feel like you want to harm yourself or someone else, call 911 or the National Suicide Prevention Lifeline at 1-800-273-TALK (1-800-273-8255).

#### Helpful Resources

#### **Hotlines**

SAMHSA's Disaster Distress Helpline

Toll-Free: 1-800-985-5990 (English and español)

SMS: Text TalkWithUs to 66746 SMS (español): "Hablanos" al 66746

TTY: 1-800-846-8517

Website (English): http://www.disasterdistress.samhsa.gov Website (español): http://www.disasterdistress.samhsa.gov/

espanol.aspx

#### SAMHSA's National Helpline

Toll-Free: 1-800-662-HELP (24/7/365 Treatment Referral

Information Service in English and español)

Website: http://www.samhsa.gov/find-help/national-help-

line

#### National Suicide Prevention Lifeline

Toll-Free (English): 1-800-273-TALK (8255) Toll-Free (español): 1-888-628-9454

TTY: 1-800-799-41TY (4889)

Website (English): http://www.suicidepreventionlifeline.org Website (español): http://www.suicidepreventionlifeline.org/ gethelp/spanish.aspx

#### **Treatment Locator**

Behavioral Health Treatment Services Locator Website: http://findtreatment.samhsa.gov/locator/home

For help finding treatment 1-800-662-HELP (4357) https://findtreatment.gov/

SAMHSA Disaster Technical Assistance Center

Toll-Free: 1-800-308-3515 Email: DTAC@samhsa.hhs.gov

Website: http://www.samhsa.gov/dtac

\*Note: Inclusion or mention of a resource in this fact sheet does not imply endorsement by the Center for Mental Health Services, the Substance Abuse and Mental Health Services Administration, or the U.S. Department of Health and Human Services.

HHS Publication No. SMA-14-4894 (2014)





## **Coping With Stress During Infectious Disease Outbreaks**

#### What You Should Know

When you hear, read, or watch news about an outbreak of an infectious disease such as Ebola, you may feel anxious and show signs of stress—even when the outbreak affects people far from where you live and you are at low or no risk of getting sick. These signs of stress are normal, and may be more likely or pronounced in people with loved ones in parts of the world affected by the outbreak. In the wake of an infectious disease outbreak, monitor your own physical and mental health. Know the signs of stress in yourself and your loved ones. Know how to relieve stress, and know when to get help.

#### **Know the Signs of Stress**

What follows are behavioral, physical, emotional, and cognitive responses that are all common signs of anxiety and stress. You may notice some of them after you learn about an infectious disease outbreak.

#### YOUR BEHAVIOR:

- An increase or decrease in your energy and activity levels
- An increase in your alcohol, tobacco use, or use of illegal drugs
- An increase in irritability, with outbursts of anger and frequent arguing
- Having trouble relaxing or sleeping
- Crying frequently
- Worrying excessively
- Wanting to be alone most of the time
- Blaming other people for everything
- Having difficulty communicating or listening
- Having difficulty giving or accepting help
- Inability to feel pleasure or have fun

#### **Know When To Get Help**

You may experience serious distress when you hear about an infectious disease outbreak, even if you are at little or no risk of getting sick. If you or someone you know shows signs of stress (see list at left) for several days or weeks, get help by accessing one of the resources at the end of this tip sheet. Contact the National Suicide Prevention Lifeline right away if you or someone you know threatens to hurt or kill him- or herself or someone else, or talks or writes about death, dying, or suicide.

COPING WITH STRESS DURING INFECTIOUS DISEASE OUTBREAKS



#### YOUR BODY:

- Having stomachaches or diarrhea
- Having headaches and other pains
- Losing your appetite or eating too much
- Sweating or having chills
- Getting tremors or muscle twitches
- Being easily startled

#### YOUR EMOTIONS:

- Being anxious or fearful
- Feeling depressed
- Feeling guilty
- Feeling angry
- Feeling heroic, euphoric, or invulnerable
- Not caring about anything
- Feeling overwhelmed by sadness

#### YOUR THINKING:

- Having trouble remembering things
- Feeling confused
- Having trouble thinking clearly and concentrating
- Having difficulty making decisions

#### **Know How To Relieve Stress**

You can manage and alleviate your stress by taking time to take care of yourself.

#### **KEEP THINGS IN PERSPECTIVE:**

Set limits on how much time you spend reading or watching news about the outbreak. You will want to stay up to date on news of the outbreak, particularly if you have loved ones in places where many people have gotten sick. But make sure to take time away from the news to focus on things in your life that are going well and that you can control.

#### **GET THE FACTS:**

Find people and resources you can depend on for accurate health information. Learn from them about the outbreak and how you can protect yourself against illness, if you are at risk. You may turn to your family doctor, a state or local health department, U.S. government agencies, or an international organization. Check out the sidebar on the next page for links to good sources of information about infectious disease outbreaks.

#### **KEEP YOURSELF HEALTHY:**

- Eat healthy foods, and drink water.
- Avoid excessive amounts of caffeine and alcohol.
- Do not use tobacco or illegal drugs.
- Get enough sleep and rest.
- Get physical exercise.

COPING WITH STRESS DURING INFECTIOUS DISEASE OUTBREAKS

#### **USE PRACTICAL WAYS TO RELAX:**

- Relax your body often by doing things that work for you—take deep breaths, stretch, meditate, wash your face and hands, or engage in pleasurable hobbies.
- Pace yourself between stressful activities, and do a fun thing after a hard task.
- Use time off to relax—eat a good meal, read, listen to music, take a bath, or talk to family.
- Talk about your feelings to loved ones and friends often.



Take care of your physical health to help lower your stress. Take a break to focus on positive parts of your life, like connections with loved ones.

## PAY ATTENTION TO YOUR BODY, FEELINGS, AND SPIRIT:

- Recognize and heed early warning signs of stress.
- Recognize how your own past experiences affect your way of thinking and feeling about this event, and think of how you handled your thoughts, emotions, and behavior around past events.
- Know that feeling stressed, depressed, guilty, or angry is common after an event like an infectious disease outbreak, even when it does not directly threaten you.
- Connect with others who may be experiencing stress about the outbreak. Talk about your feelings about the outbreak, share reliable health information, and enjoy conversation unrelated to the outbreak, to remind yourself of the many important and positive things in your lives.
- Take time to renew your spirit through meditation, prayer, or helping others in need.

### Sources for Credible Outbreak-Related Health Information

Centers for Disease Control and Prevention 1600 Clifton Road Atlanta, GA 30329-4027 1-800-CDC-INFO (1-800-232-4636) https://www.cdc.gov

#### World Health Organization

Regional Office for the Americas of the World Health Organization 525 23rd Street, NW Washington, DC 20037 202-974-3000 http://www.who.int/en

## **Helpful Resources**

Substance Abuse and Mental Health Services Administration

(SAMHSA) 5600 Fishers Lane Rockville, MD 20857

Toll-Free: 1-877-SAMHSA-7 (1-877-726-4727)

Email: info@samhsa.hhs.gov

SAMHSA Store: https://store.samhsa.gov

#### SAMHSA Hotlines

#### SAMHSA's Disaster Distress Helpline

Toll-Free: 1-800-985-5990 (English and español)

SMS: Text TalkWithUs to 66746 SMS (español): "Hablanos" al 66746

TTY: 1-800-846-8517 Website in English: https:// www.disasterdistress.samhsa.gov

Website in Spanish: https://www.samhsa.gov/find-help/

disaster-distress-helpline/espanol

#### SAMHSA's National Helpline

Toll-Free: 1-800-662-HELP (24/7/365 Treatment Referral

Information Service in English and español)

Website: https://www.samhsa.gov/find-help/national-helpline

#### **National Suicide Prevention Lifeline**

Toll-Free: 1-800-273-TALK (1-800-273-8255) Toll-Free (español): 1-888-628-9454 TTY: 1-800-799-4TTY (1-800-799-4889)

Website in English: https:// www.suicidepreventionlifeline.org Website in Spanish: https://

suicidepreventionlifeline.org/help-yourself/en-espanol

#### Treatment Locator

#### Behavioral Health Treatment Services Locator

Website: https://findtreatment.samhsa.gov/locator/home

#### SAMHSA Disaster Technical Assistance Center

Toll-Free: 1-800-308-3515 Email: DTAC@samhsa.hhs.gov Website: https://www.samhsa.gov/dtac

\*Note: Inclusion of a resource in this fact sheet does not imply endorsement by the Center for Mental Health Services, the Substance Abuse and Mental Health Services Administration, or the U.S. Department of Health and Human Services.



#### Coronavirus: Tech Issues for Lawyers Working at Home

by Sharon D. Nelson, Esq., John W. Simek and Michael C. Maschke © 2020 Sensei Enterprises, Inc.

The world is trying to deal with the coronavirus pandemic in a variety of ways. Controlling the spread of the deadly virus is at the top of the list. Travel is being restricted, and some countries have even closed their borders. The United States has been slow to react, but recent events have accelerated action by the federal government, states and major corporations. Social distancing and maintaining clean hygiene practices are the normal mode of operation now. More and more businesses are asking their employees to stay at home where possible. Some are being commanded by civil authorities to have their employees work from home.

What does that mean for the practice of law? How will you meet with clients? Many firms have or will adopt a telework environment and allow their employees to work from home. Making the working remotely decision will have different consequences depending on your current capabilities and whether a plan is already in place. While we can't cover all the possibilities and capabilities of every law firm, we'll attempt to attack some of the common considerations.

#### Equipment

Let's start with a very basic item...the computer. Hopefully, everyone is already using a laptop as their main office machine. If not, expect some popular models of laptops to be in short supply. Worst case, you may have to find a Best Buy, Target, Walmart, etc. and see if you can purchase a consumer-grade machine. If you planned properly, laptop users are already configured for remote access. Perhaps now would be a good time to modify your infrastructure plans and budget for laptops and docking stations for those folks that need a mobility option.

Some firms are telling all employees to work from home. Believe it or not, people are picking up their work computers, monitors, keyboards and all other peripherals on their desk and taking them home. We can't imagine the headaches the IT support people will have instructing a user to connect all the cords and devices up properly, not to mention configuring the desktop to connect to the home network. Our suggestion is to avoid taking desktops home and just deal with laptops and home machines. It will save a lot of headaches, wasted time and support costs. Speaking of home machines...they bring a whole new set of problems and liability which we'll address later.

If your employees are working from home (or other remote location) for an extended period of time, we recommend having an external monitor, full-size keyboard (wireless preferred) and mouse available. You will be much more productive with a full-sized keyboard and a larger screen. Another consideration is printing. Understand that you may need to help your employees configure their home printer (if they have one) to work with the firm's computer. If they don't need to print, so much the better. That should pretty much do it for the hardware requirements.

#### Workspace

If possible, designate a separate area as your work environment. The space should be away from the kitchen, living room, family room, or other active family areas. If you don't have a desk available, you can always use a table for your work surface. As mentioned earlier, use an external monitor and full-sized keyboard to create a more comfortable, productive work environment. Consider positioning your work area, so you have a view out of a window if possible. The view will help when you have those periods of mental blocks. Working in a windowless area will make you feel like you're in prison, which isn't a good thing. Of course, maybe it was like that in the office!

#### **Network Connectivity**

Many of us have a home wireless network that can be used for our work-at-home environment. We recommend avoiding using your home wireless, especially if other family members are also working from home. Besides the security issues, connecting to the home wireless means you are competing for bandwidth with all the other connected devices. Now would be a good time to make sure your home wireless is protected with WPA2 encryption.

We suggest that you connect your computer directly to an Ethernet connection. You can purchase a long Ethernet patch cord if you are not too far away from your internet router. Ideally, you would have a hard-wired Ethernet connection in your house (we do) for your home office. As an alternative, purchase a powerline Ethernet adapter. The adapter provides Ethernet connectivity utilizing the electrical wiring in your house. You plug one adapter in an electrical outlet near your router and a second adapter where you set up your computer. The TP-Link AV1000 Powerline Ethernet Adapter is an excellent choice and is around \$55 on Amazon.

Depending on your situation, you may need to get re-educated in how to use the hot spot capability of your smartphone. While the connection speed may be a little slower, it's a more secure network than connecting to free Wi-Fi at a Starbucks, McDonald's, etc. Our long-standing recommendation has been to avoid any free Wi-Fi and use your hot spot, even if using a VPN. For the record, you shouldn't be working at a public facility during these times anyway. The health risk is just too great, even if your locality/state permit it

#### Remote Access Software

There are a lot of choices for provisioning remote access. Many firms will already have a VPN (Virtual Private Network) available. Make sure you check the licensing and capacity for your VPN implementation. If your entire firm is working remotely using a VPN, there may not be enough capacity at your office to handle the load. Check with your IT personnel to see if there are any limitations with using a VPN. It's probably a good idea to refresh the procedure for using the VPN with those that will be connecting remotely, especially if they don't regularly access the firm's network with the VPN.

While we're talking about VPNs, not all VPNs are created equal. As organizations increase the use of VPNs for working at home, more vulnerabilities are being discovered. The bad guys are

shifting focus to target VPNs since they know so many more users will be remote during the pandemic. In addition, make sure the latest Windows security updates and patches are installed. It goes without saying that you should be using MFA (multi-factor authentication) for your VPN and any other remote access solutions. Have your IT support personnel review AA20-073A: Enterprise VPN Security (<a href="https://www.us-cert.gov/ncas/alerts/aa20-073a">https://www.us-cert.gov/ncas/alerts/aa20-073a</a>) from CISA for technical details about using and securing VPNs as a result of the COVID-19 pandemic.

Without getting too much in the weeds, there is a concept with VPNs called split tunneling. Basically, you configure the VPN to route desired traffic through a specific encrypted tunnel. As an example, one tunnel would be configured to send work traffic to your office, and a second tunnel would be for all other internet traffic. This helps reduce the bandwidth requirements at your office as only traffic destined for the firm's network would be coming in. Normally, you would not be implementing split tunneling for a variety of reasons, but now may be the time to change the configuration to allow more capacity since there will be a lot more work-at-home employees.

Some firms will want to enable the Remote Desktop Protocol to connect to their office computers. Words of caution – there is a reason the Remote Desktop Protocol is disabled by default on Windows computers. Generally, it's not recommended to expose your firm's computer(s) to the internet using Remote Desktop Protocol. Larger firms with Terminal Services have controls in place to safely use the Remote Desktop Protocol.

Another alternative is to use a remote-control solution such as LogMeIn. Many of our clients already have LogMeIn licenses available as part of the desktop monitoring solution that we deploy. If you use a remote-control solution, you will have to leave your office computer turned on at all times.

Larger firms may already have a remote access solution such as Citrix or Microsoft Terminal Services. As previously stated, make sure you have sufficient licenses and bandwidth for all the intended connections, and you have configured MFA for both Citrix and Microsoft terminal server.

#### **Using Home Computers**

We understand that not everyone is using laptops as their primary work computer and law firms don't want to spend the money to purchase laptops for remote employees. Many firms want their employees to use their home computers to work remotely. Understand that there are a LOT of issues and concerns when you decide to allow a home computer to connect to the firm network even if you are using a VPN.

The obvious concern is security. The firm doesn't own or control the home machine. You really don't know what security software may be installed or if the computer is fully patched with the latest updates. The reality is that many solo and small firm lawyers will be using home computers to connect to the office.

One of the first considerations is to determine what you will do about the security software on the home machines. Will you allow employees to use their personal security software and enforce it through policy? We would suggest a better approach is to extend your law firm's licensing to the home machines. In other words, make the home machines part of the centrally managed endpoint security system that already exists for the office. Such an approach may not be economically feasible, depending on your size and licensing terms. If you are using an MSP (managed service provider) for your IT needs, you should be able to add licenses on a monthly basis instead of paying an annual fee for each seat, which could get pretty expensive.

Do the employees have the necessary software on their home computers? At this point, you are probably rethinking the options for using cloud services. If you subscribe to Office 365, users could use Office in the cloud or possibly install Office on their home computer. If you use a VPN to connect, does the employee already have the appropriate software installed and configured? Bottom line...you will need to assess what capabilities will be required for your work-at-home employees and address any gaps that may exist.

Another challenge with home machines is the mixing of business and pleasure. Make sure you understand any applicable data protection laws (e.g. GDPR). Using a home computer puts you at risk for exposing client confidential data. It would be a nightmare if you inadvertently shared confidential data using your personal social media account. If you do use your home computer for work, try to limit (or ban) family members, especially children, from using the machine. Family members may be duped into downloading malware that compromises your computer and may transfer to your firm's network.

#### Telephone and Mail

Don't forget to address how you will handle telephone calls, especially those inbound from current or potential clients. If you have traditional phone lines, don't forget to forward the firm's number(s) to a number that you will be using to answer calls prior to closing the office. If you are not going to forward the number, have a message for callers to advise what number to call and how best to reach you.

The situation is so much better if you have VoIP phones. You should be able to just take your VoIP phone home, connect it to your home network, and it will ring just like it was sitting on your desk. As an alternative, you may have a soft phone available, where you install software on your computer to emulate your desk phone. You would then use your computer sound and microphone (or headset) to answer and make calls.

Don't forget about mail deliveries. Will the post office deliver mail if your office is closed? You may have to have the mail held at the post office or have the mail delivered to an alternate address. Once you've decided where the mail will end up, someone needs to handle it. The mail should be scanned (converted to electronic form) and sent to the appropriate person. Obviously, you'll need a scanner. You may be able to use your copier as a scanner if you don't have a separate scanner. An alternative is to use a scanning app for your smartphone.

#### Video Conferencing

Instead of face-to-face meetings, many law firms are utilizing some sort of video conferencing capability. There are a lot of choices out there to connect with people visually. As a result of the coronavirus situation, many companies are allowing temporary free usage. As an example, Microsoft is offering free usage of Teams for up to six months. Office 365 subscribers already have Teams included, but we're sure not all your clients are using Office 365.

Zoom is a very popular video conferencing solution. There is a free version that can host up to 100 participants. The company has lifted the 40-minute time restriction for the free version. The Pro version is an affordable \$15/month. Of course, many larger firms already have enterprise accounts for services such as GoToMeeting or Webex, to name a couple.

To state the obvious, you will need some sort of camera to participate in a video conference call. Most modern-day laptops are equipped with a webcam for video calls. You could even use your iPad or smartphone with some of the video conferencing apps. Another consideration is sound. The built-in microphones for laptops or phones don't sound particularly good if you are on the receiving end. Consider using a headset (with microphone) or earbuds. You'll be able to hear better, and so will all the other participants.

Don't forget where you physically sit during the video conference. If your back is to an open window, the brightness may make you difficult to see. Objects behind you may be distracting too. Think about what the person on the other end is seeing. Be cognizant of those around you too. Family members may be able to hear you discussing confidential information even if you are wearing a headset.

Finally, remember the recommendation to connect your computer to a wired Ethernet port? Utilizing Ethernet will significantly improve the stability of your connection during your video conferencing call. The last thing you want is choppy video or garbled audio when you are working with a client or other counsel.

#### Cloud to the Rescue

Is it too late to move to the cloud? Not in our opinion. Putting your client's confidential information in the cloud brings different considerations for security. How does the cloud provider protect your data from unauthorized access? Will you need to encrypt the data before you use the cloud service? There are so many great tools available to enhance your law practice.

Cloud-based practice management is a good place to start. We've already mentioned Office 365 for your productivity software. There are options for document management and document assembly in the cloud too. Backups are critical for surviving a ransomware attack. We've always recommended having a local backup and additional encrypted versions stored in the cloud too.

If you are not currently in the cloud; it's probably not a good time to take your critical business functions and move them to the cloud during the current pandemic. However, we're sure you can see the value of using cloud services for any future disaster that may come along.

#### Opportunity Knocks

The cybercriminals never miss an opportunity to profit from a disaster. The coronavirus pandemic is no different. The goal is to target people searching for information about the virus and infect them with malware. Thousands of domain names have suddenly been registered to host malicious websites. The bad guys know that a lot of people are now working from home and have initiated campaigns targeting those remote users. Be particularly vigilant concerning requests to reset your password even if the email looks like it is valid.

#### Final Tip

If you are not currently participating in a work-at-home environment, you should be planning for it in the future. If you have a laptop as your primary work machine, bring it home every day. That way, you'll be ready to respond quickly should the situation change overnight. It would also be prudent to have any needed data readily accessible. Perhaps now would be a good time to have secure cloud storage so you could access the data from anywhere.

Hopefully, your firm has some sort of policy for the changing of passwords. It is no longer necessary to change passwords as frequently as we have done in the past, but they should be changed periodically for the time being. There is no reason these days to change your password at intervals of less than 90 days. No matter what your password expiration policy is, if you are closing your firm, you should change your password prior to leaving the office and starting your work-at-home experience. Changing the password will reset the timer so that it hopefully won't expire while you are not physically connected to the firm's network.

#### Final Thoughts

As we mentioned at the beginning, it would be impossible to address every situation a law firm may encounter during the coronavirus pandemic. Hopefully, some of our suggestions and recommendations will assist in your practice and allow you to serve your clients well in these difficult times. Be safe out there.

**Sharon D. Nelson** is a practicing attorney and the president of Sensei Enterprises, Inc. She is a past president of the Virginia State Bar, the Fairfax Bar Association and the Fairfax Law Foundation. She is a co-author of 18 books published by the ABA. <a href="mailto:snelson@senseient.com">snelson@senseient.com</a>

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#### YORK COUNTY DISTRICT ATTORNEY

DAVID W. SUNDAY, JR. District Attornev TIM BARKER
First Assistant District Attorney

ART SMITH
Chief County Detective

KYLE G. KING Chief Administrator

## MEMO TO DEFENSE BAR REGARDING REVIEW OF INCARCERATION CASES IN LIGHT OF COVID-19

I received questions regarding the position of the District Attorney's Office in light of COVID-19 regarding the status of individuals who are presently incarcerated in York County Prison. Specifically, questions concern whether any modifications will occur regarding the release of individuals from York County Prison at this time. Please allow the following to serve as guidelines being offered by me on behalf of my office.

- 1. Regarding the release of individuals from work release, a significant number of that inmate population is being paroled from the center based upon the satisfaction of requirements that make the individuals appropriate for parole status. A review is being conducted of each individual on work release to determine if parole status at this time is appropriate. Only individuals appropriate for parole after a full vetting process will obtain such status.
- 2. Other individuals on work release will be afforded furloughs by petition of court for a period of 30 days, after which the individuals will return to the work release center to finish their sentence. York County Prison will continue to support the physical and mental health needs of individuals being furloughed by providing a 30 day supply of medications. None of the individuals identified for furlough are participating in medically assisted treatment (MAT). As with parole, each individual being considered for a furlough from the work release center will be fully vetted prior to a petition being submitted to the Courts for an order granting the furlough.
- 3. The District Attorney's Office is not reviewing cases wherein a defendant was already sentenced to a period of incarceration in York County Prison. If defense counsel believes an incarcerated individual who is not on work release is appropriate for early parole or a furlough, please contact First Assistant District Attorney Tim Barker and Chief Deputy Prosecutor John Hamme via e-mail with a proposed petition and supporting documentation. All reviews will be on a case-by-case basis, with a priority being given to those individuals who are elderly and/or have chronic medical conditions. My office will not agree to early parole or a furlough without obtaining input from a victim and guaranteeing the protections

afforded in the Crime Victims Act. We request that defense counsel note our position in any petition they file with the Courts for early parole or furlough.

- 4. The District Attorney's Office is conducting a review of all cases pending trial where a person is incarcerated to see if any non-incarceration bail conditions are appropriate. This is consistent with the methodology behind the Stepping Up and Pretrial Services Bail initiatives, of which we are already a full partner. If we believe a case is appropriate for a bail modification, then we will contact defense counsel and request a petition be filed by defense counsel should they agree a modification is appropriate. Also, defense counsel may contact First Assistant District Attorney Tim Barker and Chief Deputy Prosecutor John Hamme of the DA's Office via e-mail to see if we will agree with a modification request suggested by defense counsel. My office will neither propose nor agree to a bail modification without obtaining input from a victim and guaranteeing the protections afforded in the Crime Victims Act.
- 5. The District Attorney's Office will not take a position on cases wherein the only reason for incarceration is a parole violation filed by Adult Probation Services. Any requests for modification or closure of a parole violation case in order to obtain the release of an inmate from York County Prison should be made to Adult Probation Services.

As noted above, my office is able to readily respond to matters in unprecedented times because of the foundation laid through the criminal justice initiatives established in York County through our collaborative approach. My office will continued to utilize those fundamentals to ensure the safety of the public, protect the rights of victims, and further the rehabilitation and integration of reentrants. I personally thank all of you in advance for your cooperation in these matters.

Respectfully,

Dave Sunday

#### IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: GENERAL STATEWIDE JUDICIAL:

Nos. 531 & 532

**EMERGENCY** 

**Judicial Administration Docket** 

SUPPLEMENTAL ORDER

**PER CURIAM** 

**AND NOW**, this 24<sup>th</sup> day of March, 2020, this Court's ORDER of March 18, 2020, is SUPPLEMENTED as set forth herein. The non-exclusive list of essential functions provided as guidance to the Courts of Common Pleas shall include:

Commencement of a civil action, by *praecipe* for a writ of summons, for purposes of tolling a statute of limitations. However, all related procedural rules, including rules regarding service of original process, are suspended as set forth in this Court's Order of March 18, 2020.

In the event a court of common pleas is unable to accommodate the filing of a *praecipe* for a writ of summons, attorneys may file a *praecipe* for a writ of summons in the Superior Court district corresponding to the applicable court of common pleas, pursuant to the miscellaneous filing procedure set forth in the Superior Court's Order dated March 23, 2020, Superior Court Administrative Docket No. 3. The filing in the Superior Court must be accompanied by the filing attorney's certification that the attorney has been unable to file the *praecipe* in the appropriate court of common pleas due to the closure of that court to such filings in light of the ongoing public health emergency, and that in the attorney's opinion, filing of the *praecipe* for a writ of summons is necessary to toll a statute of limitations that would otherwise expire during the judicial emergency declared by this Court, or any extension of that judicial emergency.

This **ORDER** shall be posted on the Unified Judicial System website and shall be effective immediately.

A True Copy Patricia Nicola As Of 03/24/2020

Chief Clerk Supreme Court of Pennsylvania

Latrua Nicala

#### **APOC guidance on Custody Orders:**

03-24-2020

The following statement has been issued by H. Geoffrey Moulton Jr., court administrator, Administrative Office of Pennsylvania Courts:

I have been asked about the impact of the Governor's "stay at home" order on existing child custody orders and the travel necessary to effectuate them in affected counties. The Governor's Office of General Counsel has confirmed to me that the Governor's order does <u>not</u> prohibit such travel. (In counties not subject to the stay-at-home order, there is likewise no barrier to such travel and the continued enforcement of custody orders.) While you and your fellow judges have discretion to modify custody orders in light of changing circumstances, nothing in the Governor's order requires that you do so.

#### IN THE SUPREME COURT OF PENNSYLVANIA MIDDLE DISTRICT

CIVIL RIGHTS DEFENSE FIRM, P.C., FIREARMS POLICY COALITION, INC., PRINCE LAW OFFICES, P.C., TROP GUN SHOP LTD., AND ROGER MULLINS,

: No. 63 MM 2020

: Petitioners' Emergency Ex Parte Application for Extraordinary Relief Pursuant to the Court's King's Bench

Jurisdiction

**Petitioners** 

٧.

GOVERNOR TOM WOLF,

Respondent

## **ORDER**

#### **PER CURIAM**

**AND NOW,** this 22nd day of March, 2020, upon review of Petitioners' Emergency Ex Parte Application for Extraordinary Relief Pursuant to the Court's King's Bench Jurisdiction, which challenges the statutory authority for, and the constitutionality of, the Governor's Order of March 19, 2020 ("Order of the Governor of the Commonwealth of Pennsylvania Regarding the Closure of All Businesses That Are Not Life Sustaining"), and the Governor's response to that Application, we order as follows:

With respect to those Petitioners alleging that the Governor's March 19 Order infringes on this Court's exclusive authority to regulate the practice of law, or otherwise interferes with this Court's orders declaring a statewide judicial emergency, see, e.g., In Re: General Statewide Judicial Emergency, 531 & 532 Judicial Administration Docket (Pa. Mar. 18, 2020) (order temporarily closing courts to the public), the Application is

DISMISSED AS MOOT. Although the Governor's March 19 Order provides that businesses performing "Legal Services" must cease physical operations, he subsequently added the following proviso: "Except as required to allow attorneys to participate in court functions deemed essential by a president judge per the Pennsylvania Supreme Court's order of March 18, 2020, or similar federal court directive, and lawyers may access their offices to effectuate such functions and directives." See https://www.scribd.com/document/452553026/UPDATED-5-45pm-March-21-2020-Industry-Operation-Guidance, under hyperlink "See a list of life-sustaining businesses" at https://www.pa.gov/guides/responding-to-covid-19/#ForBusinesses. Accordingly, in regard to these Petitioners, we find no controversy remains.

In all other respects, the Application is **DENIED**.

The Application For Leave Of The City Of Philadelphia To File Amicus Brief is **GRANTED**.

Justice Wecht files a Concurring and Dissenting Statement joined by Justices Donohue and Dougherty.

#### IN THE SUPREME COURT OF PENNSYLVANIA MIDDLE DISTRICT

CIVIL RIGHTS DEFENSE FIRM, P.C., FIREARMS POLICY COALITION, INC., PRINCE LAW OFFICES, P.C., TROP GUN SHOP LTD., AND ROGER MULLINS,

No. 63 MM 2020

Petitioners

٧.

GOVERNOR TOM WOLF,

Respondent

#### **CONCURRING AND DISSENTING STATEMENT**

#### JUSTICE WECHT

I am troubled by the uncertainty that has followed the Governor's orders responding to the COVID-19 pandemic, particularly as it concerns the critical work of attorneys, whose legal expertise is necessary for the citizenry to obtain redress of harms, and whose practice is to be regulated by this Court under Article V of the Constitution of this Commonwealth. See PA. CONST. art. V, § 10(c). Nonetheless, I agree with the Court that the present challenge, to the extent premised upon a deprivation of the ability to practice law, has been effectively mooted by the much-needed clarification subsequently offered by the Governor. I accordingly join that portion of today's order.

I write separately because the present Application for Emergency Relief brings to the Court's attention a deprivation of a constitutional right. The Governor's Order of March 19, 2020, the "Order of the Governor of the Commonwealth of Pennsylvania Regarding the Closure of All Businesses That Are Not Life Sustaining" (the "Order"), makes no allowance for any continued operation of licensed firearm dealers. In light of the regulatory framework attending the sale and transfer of firearms, the inability of licensed firearm dealers to conduct any physical operations amounts to a complete prohibition upon the retail sale of firearms—an activity in which the citizens of this Commonwealth recently have been engaging on a large scale, and one guaranteed by both the United States Constitution and the Constitution of this Commonwealth. See U.S. Const. amend. II ("A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."); PA. Const. art. I, § 21 ("The right of the citizens to bear arms in defence of themselves and the State shall not be questioned.").

Unlike the vast majority of other items, the sale and transfer of firearms sold at retail cannot be completed merely by way of telecommunication and mailing under existing law. Under federal firearm laws, a licensed firearm dealer may transfer a firearm to a purchaser who does not appear in person at the licensed premises only when a background check is not required to transfer the firearm, and both the dealer and the purchaser reside in the same state. 18 U.S.C. § 922(c), (t); 27 C.F.R. § 478.96, 478.124; ATF Procedure 2013-2.1 In Pennsylvania, a licensed firearm dealer must perform a background check in conjunction with the retail sale of any firearm. 18 Pa.C.S. § 6111(a)(2). Moreover, the Uniform Firearms Act provides that the "business" of a

For ease of reference, the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives has offered guidance on this question, available at <a href="https://www.atf.gov/firearms/qa/may-licensee-transfer-firearm-nonlicensed-individual-who-does-not-appear-person-licensed">https://www.atf.gov/firearms/qa/may-licensee-transfer-firearm-nonlicensed-individual-who-does-not-appear-person-licensed</a>

licensed firearm dealer "shall be carried on only upon the premises designated in the license or at a lawful gun show or meet." *Id.* § 6113(a)(1).

The effect of this regulatory scheme is that, notwithstanding any payment, the actual transfer of a firearm from a dealer to a purchaser must be completed at the dealer's place of business. Quite simply, if firearm dealers are not able to conduct any business in-person at their licensed premises, then no transfers of firearms can be completed. This amounts to an absolute and indefinite prohibition upon the acquisition of firearms by the citizens of this Commonwealth—a result in clear tension with the Second Amendment to the United States Constitution and Article I, Section 21 of the Pennsylvania Constitution. See generally District of Columbia v. Heller, 554 U.S. 570 (2008) (holding that the Second Amendment guarantees an individual right to keep and bear arms for the purpose of selfdefense); McDonald v. City of Chicago, 561 U.S. 742 (2010) (holding that Second Amendment right to keep and bear arms is fully applicable to the States under the Fourteenth Amendment); see also Bateman v. Perdue, 881 F.Supp.2d 709 (E.D.N.C. 2012) (applying *Heller* to hold unconstitutional a statute authorizing government officials to prohibit the sale of firearms during state of emergency); id. at 714 (noting that statute "effectively prohibit[s] law abiding citizens from purchasing and transporting to their homes firearms and ammunition needed for self-defense" thus "burden[ing] conduct protected by the Second Amendment").

In my view, it is incumbent upon the Governor to make some manner of allowance for our citizens to continue to exercise this constitutional right. This need not necessarily take the form of a generalized exception to the Order for any and all firearm retailers, although such retailers have been classified as "essential" elsewhere in our Nation.<sup>2</sup> To the contrary, just as the Governor has permitted restaurants to offer take-out service but restricted dine-in options, the Governor may limit the patronage of firearm retailers to the completion of the portions of a transfer that must be conducted in-person. Such an accommodation may be effectuated while preserving sensible restrictions designed to slow the spread of COVID-19, but nonetheless provide a legal avenue for the purchase and sale of firearms, thus avoiding an impermissible intrusion upon a fundamental constitutional right.

Justice Donohue and Justice Dougherty join this concurring and dissenting statement.

See Executive Order of Governor of Illinois, Executive Order in Response to COVID-19 (COVID-19 Executive Order No. 8), at 12(n), available at <a href="https://www2.illinois.gov/IISNews/21288-Gov.">https://www2.illinois.gov/IISNews/21288-Gov.</a> Pritzker Stay at Home Order.pdf (defining "Essential Businesses and Operations" to include "firearm and ammunition suppliers and retailers for purposes of safety and security").



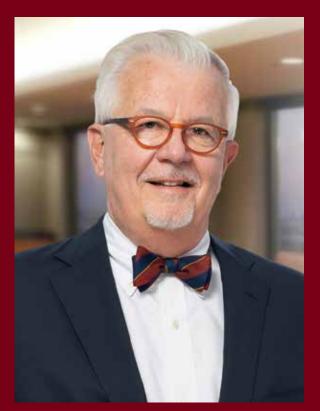
March 21, 2020

#### **In-Person Requirement Suspended for Court Reporters**

Governor Wolf granted the Department of State's request to suspend the requirement for physical presence of notaries who are court reporters/stenographers participating in criminal, civil and administrative proceedings in this Commonwealth.

- The Pennsylvania Supreme Court issued an order declaring a statewide judicial emergency. The
  Pennsylvania Court Reporters Association has been substantially impacted by the COVID-19 virus.
  Depositions, arbitrations, hearings and many other proceedings are being cancelled right now. They
  could be held via phone conference, videoconference, or web deposition if a court reporter could
  participate remotely.
- Court reporters are notaries public, who in turn are officers authorized to administer oaths or
  affirmations, among other notarial acts. Current Pennsylvania law requires notarial acts, even those
  performed electronically with respect to electronic records, to be done in the physical presence of the
  notary.
- The Governor approved the request to suspend the physical presence of notaries who are court reporters or stenographers participating in criminal, civil and administrative proceedings.
- This suspension is temporary and will only last for the duration of the declared disaster emergency.

# Welcome to the firm DAVID R. CONFER



David Confer has served as general counsel to York County-based The Wolf Organization, a renowned home products supplies company, for more than 40 years. As a member of Barley Snyder's Business Practice Group, Dave is using his four decades of problem-solving experience to help the firm serve its clients more effectively in the areas of business transactions, distribution, transportation and logistics.

"It's an honor to now work alongside the impressive team of attorneys and professionals at Barley Snyder," Dave says. He also will be instrumental in advancing the firm's Practice Excellence® legal process improvement initiative.

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#### **ESTATE NOTICES**

NOTICE IS HEREBY GIVEN that in the estates of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims or demands against said estates are required to make known the same, and all persons indebted to said estate are requested to make payment without delay to the executors or administrators or their attorneys named below.

#### FIRST PUBLICATION

ESTATE OF MADELYN CHERVENITSKI a/k/a MADELYN J. CHERVENITSKI, DECEASED

Late of Dover Twp., York County, PA. Executrix: Denise A. London, c/o Dorothy Livaditis, Esquire, 32 South Beaver Street, York, PA 17401

Attorney: Dorothy Livaditis, Esquire, 32 South Beaver Street, York, PA 17401

04.02-3t

## ESTATE OF ROBERT A. EVERHART, DECEASED

Late of York County, PA.

Administrator-Executor: Eileen Rutherford & Ronald S. Sprenkle, c/o Attorney Daral Woerle, P.O. Box 6765, Wyomissing, PA 19610

Attorney: Daral Woerle, Esquire, P.O. Box 6765, Wyomissing, PA 19610 04.02-3t

ESTATE OF LOIS M. GIBBS, DECEASED Late of West Manchester Twp., York County, PA. Executor: Robert S. Sallade, c/o 340 Pine Grove Commons, York, PA 17403 Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403

04.02-3t

#### ESTATE OF KELLY ANN MUSE, DECEASED

Late of Manchester Twp., York County, PA. Executor: Richard J. Wiest, c/o Richard R. Reilly, Esquire, 54 N. Duke Street, York, PA 17401-1210

Attorney: Richard R. Reilly, Esquire, 54 N. Duke St., York, PA 17401 04.02-3t

## ESTATE OF JUNIOR L. SPAHR, DECEASED Late of York County, PA.

Executor: Daniel E. Abel, 15 Fieldstone Drive, Mechanicsburg, PA 17050

Attorney: John A. Feichtel, Esquire, Sullivan Rogers & Feichtel, 100 Sterling Parkway, Suite 100, Mechanicsburg, PA 17050 04.02-3t

## ESTATE OF VICTORIA L. SWARTZ, DECEASED

Late of Hopewell Twp., York County, PA. Administrator: Jonathan E. Swartz, Sr., c/o Stock and Leader, 221 West Philadelphia Street, Suite 600, York, PA 17401-2991

Attorney: D. Reed Anderson, Esquire,
Susquehanna Commerce Center East 221
West Philadelphia Street, Suite 600, York,
PA 17401-2991
04.02-3t

ESTATE OF VERDA M. VOLZ, DECEASED Late of Shrewsbury Twp., York County, PA. Co-Executors: Joseph S. Volz and Francis J. Volz, Jr., c/o Stock and Leader, 221 West Philadelphia Street, Suite 600, York, PA 17401-2991

Attorney: D. Reed Anderson, Esquire, Susquehanna Commerce Center East 221 West Philadelphia Street, Suite 600, York, PA 17401-2991 04.02-3

## ESTATE OF BETTY M. WERKING, DECEASED

Late of Manchester Twp., York County, PA. Executrix: Patricia A. Hanlon, c/o Richard R. Reilly, Esquire, 54 N. Duke Street, York, PA 17401-1210

Attorney: Richard R. Reilly, Esquire, 54 N. Duke St., York, PA 17401 04.02-3t

#### **SECOND PUBLICATION**

ESTATE OF SCOTT E. FORSYTHE, DECEASED

Late of West York Borough, York County, PA. Executor: Matthew Forsythe, c/o 340 Pine Grove Commons, York, PA 17403

Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403

03.26-3t

## ESTATE OF LARRY L. HEFFNER, DECEASED

Late of Lower Windsor Twp., York County, PA. Administrators: Brenda C. Gohn, and Rosalie E. Miller, c/o Laucks & Laucks, PC, 105 West Broadway, Red Lion, PA 17356 Attorney: David M. Laucks, Esquire,

LAUCKS & LAUCKS, PC, 105 West Broadway, Red Lion, PA 17356 03.26-3t

## ESTATE OF LOUISE D. HUMMEL, DECEASED

Late of Springettsbury Twp., York County, PA. Co-Executors: George W.W. Hummel, and Nancie H. Park, c/o 129 E. Market St., York, PA 17401

Attorney: John C. Herrold, Esquire, Griest, Himes, Herrold, Reynosa LLP, 129 East Market Street, York, PA 17401 03.26-3t

## ESTATE OF LYDIA M. MABRY, DECEASED Late of York County, PA.

Administrator-Executor: Mary Rose Kelly, 2766 Woodmont Drive, York, PA 17404 03.26-3t

## ESTATE OF DAVID L. RAUHAUSER, DECEASED

Late of Dover Twp., York County, PA. Executors: Vicki L. Dettinger and Bonnie S. Mummert, c/o 340 Pine Grove Commons, York, PA 17403

Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403

03.26-3t

# ESTATE OF ZACKERY DAVID RODKEY a/k/a ZACK RODKEY, DECEASED Late of Heidelberg Twp., York County, PA.

Administratrix: Rebecca L. Raver, c/o Edward P. Seeber, Esquire, JSDC Law Offices, Suite C-400, 555 Gettysburg Pike, Mechanicsburg, PA 17055 Attorney: Edward P. Seeber, Esquire, JSDC Law Offices, Suite C-400, 555 Gettysburg Pike, Mechanicsburg, PA 17055 03.26-3t

# ESTATE OF RICHARD JOHN SKOVIRA, SR., a/k/a RICHARD JOHN SKOVIRA, DECEASED

Late of Baltimore County, Maryland. Co-Executors: William Thomas Skovira and Jeanne Mary Pulket, c/o Stock and Leader, 221 West Philadelphia Street, Suite 600, York, PA 17401

Attorney: Jody Anderson Leighty, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite 600, York, PA 17401-2991 03.26-3t

# ESTATE OF RUTH E. WAGGONER a/k/a RUTH ELIZABETH WAGGONER, DECEASED

Late of Carroll Twp., York County, PA.
Executrix: Martha B. Hollenbaugh, c/o 6
Clouser Road, Mechanicsburg, PA 17055
Attorney: Charles E. Shields, III, Esquire, 6
Clouser Road, Mechanicsburg, PA 17055
03.26-3t

## ESTATE OF MARY J. WEIDNER a/k/a MARY JANE WEIDNER, DECEASED

Late of Penn Twp., York County, PA. Co-Executors: David L. Weidner, 625 York Street, Hanover, PA 17331and Scott Weidner, 205 Pine Road, Mt. Holly, PA 17065

Attorney: Matthew L. Guthrie, Esquire, Barley Snyder LLP, 14 Center Square, Hanover, PA 17331 03.26-3t

#### THIRD PUBLICATION

## ESTATE OF SAMUEL CLAUDE ABREGHT, DECEASED

Late of Dover Borough, York County, PA. Administrator: Mary J. Auman, c/o Kearney Galloway Graybill, LLC, 940 South Queen Street, York, PA 17403

Attorney: Jack L. Graybill II, Esquire, Kearney Galloway Graybill, LLC, 940 South Queen Street, York, PA 17403 03.19-3t

ESTATE OF JACOB M. ALBRIGHT a/k/a JACOB M. ALBRIGHT, SR., DECEASED Late of Paradise Twp., York County, PA. Co-Executrices: Barbara A. Bailey, 33 Cedar Lane, Thomasville, PA 17364 and Susan K. Wolf, 360 Green Springs Road, Hanover, PA 17331

Attorney: Amy E.W. Ehrhart, Esquire, 118 Carlisle St., Suite 202, Hanover, PA 17331 03.19-3t

ESTATE OF DONALD E. ANGEL a/k/a
DONALD EDWARD ANGEL, DECEASED
Late of Dover Borough, York County, PA.
Executor: Chad E. Angel, c/o PO BOX 606,
East Berlin, PA 17316

Attorney: Sharon E. Myers, Esquire, CGA Law Firm, PC, PO BOX 606, East Berlin, PA 17316 03.19-3t

ESTATE OF JANET C. BARNES, DECEASED Late of Springettsbury Twp., York County, PA. Co-Executors: Eric C. Barnes and Geoffrey C. Barnes, c/o Scott Alan Mitchell, Esq., Saxton & Stump, LLC, 280 Granite Run Dr., Ste. 300, Lancaster, PA 17601 Attorney: Scott Alan Mitchell, Esquire, Saxton & Stump, LLC, 280 Granite Run Dr., Ste. 300, Lancaster, PA 17601 03.19-3t

## ESTATE OF NEIL IVAN BOZIEVICH, DECEASED

Late of Penn Twp., York County, PA. Administrator-Executor: Matthew Stuart Bozievich, 10381 Foust Rd., Glen Rock, PA 17327 03.19-3t

## ESTATE OF MARIE L. BRENNEMAN, DECEASED

Late of York Twp., York County, PA. Executors: William E. Brenneman and Sharon M. Myers, c/o 340 Pine Grove Commons, York, PA 17403

Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403

03.19-3t

## ESTATE OF KATHLEEN ANN COLLIE , DECEASED

Late of York Twp., York County, PA. Executrix: R. Suzanne Stoltenberg, c/o Stock and Leader, 221 West Philadelphia Street, Suite 600, York, PA 17401

Attorney: Thomas M. Shorb, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite 600, York, PA 17401-2991 03.19-3t

## ESTATE OF PATTY LOU DUNKERLEY, DECEASED

Late of Springettsbury Twp., York County, PA. Administrator-Executor: Jeffrey A.

Dunkerley, c/o Bellomo & Associates,
LLC, 3198 East Market Street, York, PA
17402

Attorney: Bellomo & Associates, LLC, 3198 East Market Street, York, PA 17402

03.19-3t

03.19-3t

## ESTATE OF GERALD H. ENSMINGER, DECEASED

Late of York Twp., York County, PA.
Executor: Thomas M. Ensminger, c/o Eveler & DeArment LLP, 2997 Cape Horn Rd.,
Suite A-6, Red Lion, PA 17356
Attorney: Eveler & DeArment LLP, 2997
Cape Horn Rd., Suite A-6, Red Lion, PA

## ESTATE OF GLENN E. FLAHARTY, DECEASED

Late of Hellam Twp., York County, PA. Executors: Leeanna M. Wiesman and Gregory E. Flaharty, c/o 340 Pine Grove Commons, York, PA 17403

Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403

03.19-3t

## ESTATE OF EARL H. FUHRMAN, DECEASED

Late of Penn Twp., York County, PA. Executors: Daniel Fuhrman, Cynthia Fuhrman and Deborah Fuhrman, c/o Genevieve E. Barr, Esquire, 11 Carlisle Street, Hanover, PA 17331

Attorney: Genevieve E. Barr, Esquire, 11 Carlisle Street, Hanover, PA 17331

03.19-3t

## ESTATE OF HELEN E. GEMMILL, DECEASED

Late of Hopewell Twp., York County, PA. Executor: Larry Eugene Gemmill, c/o Stock and Leader, 221 West Philadelphia Street, Suite 600, York, PA 17401

Attorney: Jody Anderson Leighty, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite 600, York, PA 17401-2991 03.19-3t

## ESTATE OF ROLAND L. GENTZLER, DECEASED

Late of West Manchester Twp., York County, PA. Executrix: Lori A. Kreeger, c/o 340 Pine Grove Commons, York, PA 17403

Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403

03.19-3t

## ESTATE OF RUTH M. HOFFMAN, DECEASED

Late of Dover Twp., York County, PA. Executor: Donald E. Hoffman, c/o 129 E. Market St., York, PA 17401

Attorney: John C. Herrold, Esquire, Griest, Himes, Herrold, Reynosa LLP, 129 East Market Street, York PA 17401 03.19-3t

## ESTATE OF WILLIAM T. KILGORE, DECEASED

Late of Lower Chanceford Twp., York County, PA.

Executrix: Daune L. Kilgore, c/o 340 Pine Grove Commons, York, PA 17403 Attorney: Robert Clofine, Esquire, Elder Law

Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403 03.19-3t

## ESTATE OF DORIS L. KLAHOLD, DECEASED

Late of Springettsbury Twp., York County, PA.
 Executrix: Karla J. Martin, c/o Stock and
 Leader, 221 West Philadelphia Street,
 Suite 600, York, PA 17401

Attorney: MacGregor J. Brillhart, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite 600, York, PA 17401-2991 03.19-3t

ESTATE OF DEAN G. MANTIS, DECEASED Late of Newberry Twp., York County, PA. Administrator-Executor: Constance D. Lambert, 8 Mall Road, Etters, PA 17319 and Dean G. Mantis, III, 848 Anthony Drive, Mechanicsburg, PA 17050 03.19-3t

## ESTATE OF ROBERT M. MARTIN, DECEASED

Administrator: William W. Martin, 5702
Ridge Rd., Cascade, MD 21719
Attorney: William F. Hoffmeyer, Esquire, 30
N George St., York, PA 17401
03.19-3t

#### ESTATE OF LAVERNE E. MCDONALD a/k/a LAVERNE ELIZABETH MCDONALD, DECEASED

Late of Springettsbury Twp., York County, PA. Executor: Thomas Russell Counts, Jr., c/o Richard R. Reilly, Esquire, 54 N. Duke Street, York, PA 17401-1210

Attorney: Richard R. Reilly, Esquire, 54 N. Duke St., York, PA 17401 03.19-3t

## ESTATE OF RAY N. MCWILLIAMS, DECEASED

Late of Conewago Twp., York County, PA. Administrator-Executor: Kimberly R. Edmonston, 830 Woodward Avenue, Lock Haven, PA 17745 or: Paul D. Welch, Jr., Esquire, P.O. Box 389, Lock Haven, PA 17745

Attorney: Paul D. Welch, Jr., Esquire, Coploff, Ryan, Welch & Houser, 136 E. Water Street, Lock Haven, PA 17745

03.19-3t

## ESTATE OF TIMOTHY S. NANNINGA, DECEASED

Late of East Manchester Twp., York County, PA. Administrator-Executor: Vicki C. Nanninga, 976 Canal Road Extd., Manchester, PA 17345 03.19-3t

ESTATE OF CHEECH PROUT, DECEASED Late of Dover Twp., York County, PA. Administratrix: Sherry Bowman, c/o Richard R. Reilly, Esquire, 54 N. Duke Street, York, PA 17401-1210

Attorney: Richard R. Reilly, Esquire, 54 N. Duke St., York, PA 17401 03.19-3t

## ESTATE OF PHYLLIS JANE ROSANCRANS, DECEASED

Late of West Manchester Twp., York County, PA. Administrator-Executor: Cynthia Rosancrans, c/o Bellomo & Associates, LLC, 3198 East Market Street, York, PA 17402

Attorney: Bellomo & Associates, LLC, 3198 East Market Street, York, PA 17402

03.19-3t

ESTATE OF ALBERT L. ROSE, DECEASED Late of West Manchester Twp., York County, PA. Executrix: Joanne M. Rose, c/o 340 Pine Grove Commons, York, PA 17403 Attorney: Robert Clofine, Esquire, Elder Law

Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403

03.19-3t

## ESTATE OF DARLENE A. SHEFFER, DECEASED

Late of Springettsbury Twp., York County, PA. Executor: Todd Sheffer, c/o PO BOX 606, East Berlin, PA 17316

Attorney: Sharon E. Myers, Esquire, CGA Law Firm, PC, PO BOX 606, East Berlin, PA 17316 03.19-3t

ESTATE OF BETTY B. STERN, DECEASED Late of Lower Windsor Twp., York County, PA. Administrator-Executor: Robert J. Stern, c/o Bellomo & Associates, LLC, 3198 East Market Street, York, PA 17402

Attorney: Bellomo & Associates, LLC, 3198 East Market Street, York, PA 17402

03.19-3t

ESTATE OF JOAN K. STOUDT, DECEASED Late of Shrewsbury Borough, York County, PA. Executor: Jeffrey K. Stoudt, c/o Sommer & O'Donnell, LLC, 36 South Hanover Street, Carlisle, PA 17013

Attorney: Brandon S. O'Donnell, Esquire, Sommer & O'Donnell, LLC, 36 South Hanover Street, Carlisle, PA 17013

03.19**-**3t

#### ESTATE OF DONNA LEE THOMAS, DECEASED

Late of Carroll Twp., York County, PA. Executrix: Rachel Lynn Jarabeck, c/o 15 Mimosa Drive, Mechanicsburg, PA 17055 03.19-3t

#### ESTATE OF ROBERT L. THOMAS, DECEASED

Late of Jackson Twp., York County, PA. Executrix: Donna L. Glatfelter, c/o Gillian A. Woodward, Esquire, 1701 West Market Street, York, PA 17404 Attorney: Gillian A. Woodward, Esquire,

1701 West Market Street, York, PA 17404 03.19-3t

#### ESTATE OF FRANCES D. TROUT, a/k/a CHI CHI TROUT, DECEASED

Late of Springettsbury Twp., York County, PA. Executrix: Beth L. Trout Landen, c/o 110 S. Northern Way, York, PA 17402 Attorney: Donald L. Reihart, Esquire, Law Offices of Donald L. Reihart, 110 S. Northern Way, York, PA 17402 03.19-3t

#### ESTATE OF ROBERT G. TYNDALL, DECEASED

Late of York City, York County, PA. Executor: Eric J. Tyndall, c/o 340 Pine Grove Commons, York, PA 17403 Attorney: Robert Clofine, Esquire, Elder Law

Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403

03.19-3t

ESTATE OF BETTY L. WELT, DECEASED Late of York Twp., York County, PA. Executors: Carolyn L. Powers and Ester J. Glatfelter, c/o 110 South Northern Way, York, PA 17402

Attorney: Paul G. Lutz, Esquire, 110 South Northern Way, York, PA 17402 03.19-3t

#### ESTATE OF LORRAINE T. WILLIAMS, DECEASED

Late of York Twp., York County, PA. Executor: Edmund S. Williams, c/o 340 Pine Grove Commons, York, PA 17403 Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403

03.19-3t

#### ESTATE OF ERMA C. ZARFOSS, DECEASED

Late of Hellam Twp., York County, PA. Executor: Michael L. Sechrist, c/o John W. Stitt, Esquire, 1434 W. Market St., York PA 17404

Attorney: John W. Stitt, Esquire, 1434 W. Market St., York PA 17404 03.19-3t

#### CIVIL NOTICES

#### **ACTION IN MORTGAGE FORECLOSURE**

Court of Common Pleas of York County J.P. Morgan Mortgage Acquisition Corp. v. Alan L. Eshleman, et al; Court No. 2019-SÚ-000339

To: Alan L. Eshleman and Lisa M. Eshleman. You have been sued in Court. If you wish to defend against the claims set forth in the Complaint in Mortgage Foreclosure, you must take action within twenty (20) days after this publication, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice. You may lose money or property or other rights important to you. You should take this publication to your lawyer at once. If you do not have a lawyer, go to or telephone the office set forth below. This office can provide you with information about hiring a lawyer. If you cannot afford to hire a lawyer, this office may be able to provide you with information about agencies that may offer legal services to eligible persons at a reduced fee or no fee. York County Lawyer Referral Service, 137 East Market Street, York, PA 17401, 717-854-8755. Romano, Garubo & Argentieri, LLC, Attorneys for Plaintiff, 52 Newton Ave., Woodbury, NJ 08096, 856-384-1515.

04.02-1t Solicitor

#### ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Commonwealth of Pennsylvania, Department of State, at Harrisburg, Pennsylvania on February 28, 2020, for the purpose of obtaining a Certificate of Incorporation.

The name of the corporation organized under the Pennsylvania Business Corporation Law of 1988, Act of December 21, 1988, P.L. 1444, No. 177, as amended and supplemented, is Guerrini Insurance Agency, Inc.

> Gerald J. Shekletski, Esquire Stone LaFaver & Shekletski 414 Bridge Street P.O. Box E New Cumberland, PA 17070

04.02-1t Solicitor

#### **FICTITIOUS NAME**

Notice is hereby given that on the 23<sup>rd</sup> day of January, 2019, a certificate has been filed under the Fictitious Name Act approved May 24, 1945 in the Office of the Secretary of the Commonwealth of Pennsylvania, setting forth that Jason Ellis, LLC of 416 Charles Ave, Hanover, PA 17331 are the only persons owning or interested in a business, the character of which is operating a Chiropractic Office and that the name, style and designation under which said business is and will be conducted is Back **2 Health** and the location where said business is and will be located is 1500 Baltimore Pike, Hanover, Pennsylvania 17331.

Amy S. Loper, Esquire

04.02-1t

Solicitor

#### NOTICE

#### PUBLIC NOTICE TO SHANNON NICOLE FLEEGLE

In Re: Adoption of Riley Elizabeth Fleegle and Trinity Michelle Fleegle, Minors

A petition has been filed asking the Court to put an end to all rights you have as a parent to your children, Riley Elizabeth Fleegle and Trinity Michelle Fleegle. A Termination of Parental Rights Hearing has been scheduled for May 8, 2020, at 9:00 a.m., in Court Room No. 6005, of the York County Judicial Center, 45 North George Street, York, Pennsylvania, to terminate your parental rights to Riley Elizabeth Fleegle (DOB: November 7, 2014) and Trinity Michelle Fleegle (DOB: August 5, 2013), whose Father is Michael Aaron Fleegle and whose Mother is Shannon Nicole Fleegle. You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have a right to be represented at the hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

> ATTORNEY CONNECTION/ YCBA MODEST MEANS 137 East Market Street York, Pennsylvania 17401 717-854-8755 http://www.yorkbar.com/ ?page=YCBAFindEsq

may be appointed by the court at no cost to you if you qualify. Contact the following office for instructions and forms to complete and file.

Clerk of the Orphans' Court York County Judicial Center 45 North George Street York, Pennsylvania 17401 717-771-9288

http://yorkcountypa.gov/componsent/ jdownloads/send/100-adopt-forms/824packet-for-court-appted-counsel-andfinancial-affidavit.html

> Martin Miller, Esquire Solicitor for York County Offices of Children, Youth & Families

A prospective adoptive parent of a child may enter into an agreement with a birth relative of the child to permit continuing contact or communication between the child and the birth relative or between the adoptive parent and the birth relative. An agency or anyone representing the parties in an adoption shall provide notification to a prospective adoptive parent, a birth parent and a child who can be reasonably expected to understand that a prospective adoptive parent and a birth relative of a child have the option to enter into a voluntary agreement for the continuing contact or communication. See 23 Pa.C.S.A Section 2731, et seq.

03.19-3t Solicitor

SHERIFF'S SALE

NOTICE OF SHERIFF'S SALE IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA NO. 2019-SU-000212

SUNTRUST BANK Vs. EDWARD M. SMITH and CHRISTOPHER G. SMITH

NOTICE TO: CHRISTOPHER G. SMITH and EDWARD M. SMITH NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

Being Premises: LOT 5 LEGGITT LANE, A/K/A LOT 5 LIGGITT LANE, STEWARTSTOWN, PA 17363
Being in HOPEWELL TOWNSHIP, County of YORK, Commonwealth of Pennsylvania, 32000AL0027K000000

Improvements consist of residential property. Sold as the property of EDWARD M. SMITH and CHRISTOPHER G. SMITH

Your house (real estate) at LOT 5 LEGGITT LANE, A/K/A LOT 5 LIGGITT LANE, STEWARTSTOWN, PA 17363 is scheduled to be sold at the Sheriff's Sale on 08/10/2020 at 02:00 PM, at the YORK County Courthouse, 45

North George Street, York, PA 17401, to enforce the Court Judgment of \$86,088.71 obtained by, SUNTRUST BANK (the mortgagee), against the above premises.

PHELAN HALLINAN DIAMOND & JONES, LLP Attorney for Plaintiff

04.02-1t Solicitor

## PER THE FOLLOWING COURT ORDER, THE APRIL 6, 2020, SHERIFF'S SALE HAS BEEN POSTSPONED. IT IS CONTINUED UNTIL JUNE 8, 2020

## IN THE SUPREME COURT OF PENNSYLVANIA MIDDLE DISTRICT

In Re: CONTINUANCE OF ALL SHERIFF SALES : No. DURING DECLARATION OF JUDICIAL EMERGENCY :

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#### IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

In Re: CONTINUANCE OF ALL SHERIFF SALES : No. 2020-MI-000216
DURING DECLARATION OF JUDICIAL EMERGENCY :

AND NOW, this 30th day of March, 2020, inasmuch as this Court has declared a Judicial Emergency under Pennsylvania Rule of Judicial Administration 1952(B)(2) in response to the expected spread of COVID-19, the Order of Court is as follows:

- 1) The York County Sheriff Sales currently scheduled in the 19<sup>th</sup> Judicial District on April 6, 2020 at the York County Judicial Center shall be cancelled.
- 2) All Sherriff Sales previously scheduled for April 6, 2020 shall be continued to June 8, 2020.
- 3) A copy of this Order shall immediately be posted on the website for the York County Sheriff and be published by the Sheriff in one newspaper of general circulation in York County and the York Legal Record.
- 4) The Sheriff shall not be required to provide any additional notice of the cancellation and rescheduling of the sales subject to this Order.

BY THE COURT.

. Adams, President Judge

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