

39th Judicial District of Pennsylvania
Master in Divorce
Memorandum of
COVID-19 Hearing Procedures

To: All attorneys and litigants
From: Jim Stein
Date: May 4, 2020

Pursuant to Judge Meyers's most recent order regarding the above referenced matters, please make note of this memorandum of hearing procedures for the Master in Divorce office. Generally, this office has three areas where we interact with other attorneys or the public; Pre-hearing conferences, Settlement Conferences, and Trials. We occasionally also have discovery hearings, which function essentially the same as trials.

Since the beginning of the COVID pandemic, we have held pre-hearing conferences by phone, and we will continue to do so until the Court resumes normal function. These usually only involve the attorneys and are centered around scheduling and housekeeping matters. On the occasion that *pro se* litigants are involved, we will include them in these phone conferences as well. Our office will continue to schedule pre-hearing conferences by Notice as we have done in the past.

Settlement conferences require both attorneys and clients to appear before the Master in order to assess settlement possibilities and work towards settlement. These proceedings typically last for 2 hours or less. Parties are much more likely to reach settlement if these proceedings are held in person at the hearing annex. However, in light of the current restrictions and recommendations regarding Court facilities, we plan to offer parties and their attorneys the option of holding these conferences remotely by video. We plan to use either Zoom or Google Meet, depending on the preferences of the parties in each case. The viability of virtual settlement conferences will depend on various factors, including whether attorneys are allowed to have clients in their offices, and whether clients and *pro se* litigants have the technical capability to participate this way. We will discuss these issues with the attorneys and *pro se* parties during the pre-hearing conference and

establish a plan acceptable to all regarding the specific procedure for the settlement conference.

If we do have settlement conferences at the Master's hearing facility, we are equipped to do it safely and within established protocols. In addition to the hearing room, we have two private conference rooms and a waiting area. We will require parties and attorneys to observe social distancing at all times, and to wear masks as long as that is required. We also have hand sanitizer available at each counsel table in the hearing room. These conferences should be safe because there are never more than 5 people involved, and we can all spread out. Our staff will also clean and sanitize all surfaces after each conference.

Trials must take place in the hearing room. They do involve a few more people, but should also be manageable using the same protocols and procedures as set forth above. We will require witnesses to wait outside the building until called by the attorney or party who is responsible for the witness. We may allow witnesses to testify by video as long as both parties concur, and the Court reporter is able to properly record the testimony. Video testimony will require patience because the Master's hearing room is not currently equipped with a large TV monitor. Consequently, this approach must be a last resort.

The Master's office is committed to the safe, efficient processing of cases as set forth above. We will also adopt any requirements or suggestions provided by The Court or the Court Administrator.