

**RULE 117 MAGISTERIAL DISTRICT JUDGE NIGHT COURT DUTY
PROCEDURES**

Pursuant to Pa.R.Crim.P. 117, the following schedule shall be implemented for ensuring provision of services:

1. The Magisterial District Courts' standard business hours shall be Monday-Friday, 8:00 AM – 4:30 PM.
2. Any matter presented to a Magisterial District Judge (MDJ) by 4:00 PM Monday-Friday shall be resolved by that MDJ. Any MDJ who is unavailable must make arrangements with another MDJ or the Deputy Court Administrator for Magisterial District Judges to provide continuous coverage.
3. Any matter presented to a MDJ after 4:00 PM Monday-Friday, and any matter arising during non-business hours, shall be referred to the Night Court Duty Judge for disposition.
4. In accordance with Pa.R.Crim.P. 117(B), the following schedule is hereby established for Night Court coverage:
 - a. Sunday, Monday, Tuesday, Wednesday, and Thursday evenings: the Night Court Duty Judge shall be present at either Night Court or his/her own office from 9:00 PM-12:00 AM. Any matters presented during those hours shall be resolved by the Night Court Duty Judge.
 - b. Friday and Saturday evenings: the Night Court Duty Judge shall be present at either Night Court or his/her own office from 10:00 PM-1:00 AM. Any matters presented between those hours shall be resolved by the Night Court Duty Judge.
 - c. The Night Court Duty Judge shall call into Night Court each weekday morning at 6:00 AM to inquire as to the status of pending matters. Should matters be pending that require the Night Court Duty Judge to respond, s/he shall report to either Night Court or his/her own office within one hour to resolve those matters.
 - d. Saturday, Sunday, and holiday mornings/afternoons: The Night Court Duty Judge shall call into Night Court at 7:00 AM and 3:00 PM on Saturday, Sunday and holidays to inquire as to the status of pending matters. Should matters be pending that require the Night Court Duty Judge to respond, s/he shall report to either Night Court or his/her own office within one hour to resolve those matters.

- e. The Night Court Duty Judge shall not be required to report to his/her regular office for normal duties any earlier than 12:00 noon following night time hours at Night Court.
 - f. Notwithstanding the foregoing schedule, the Night Court Duty Judge shall be on call to promptly handle any of the following:
 - (i) issuance of search warrants,
 - (ii) issuance of arrest warrants,
 - (iii) setting of bail (which will be posted at Night Court), and
 - (iv) emergency Protection From Abuse petitions.
5. The assignment of Night Court Duty shall be made by the Court Administrator's Office.