



## **News for Immediate Release**

June 29, 2024

### **Supreme Court of Pennsylvania Issues Order Declaring Judicial Emergency in Dauphin County**

**HARRISBURG** — The Supreme Court of Pennsylvania today issued an order declaring a judicial emergency for the Twelfth Judicial District due to the unprecedented leadership void in the Office of the Clerk of Courts due to sudden vacancies which occurred on Friday, June 28, 2024.

“While the clerk is an independently elected official, the efficient and effective operation of the office is critical to ensuring that the courts remain accessible to all court users, and that the essential recordkeeping function of that office is properly and continuously performed in support of the judiciary and the timely administration of justice,” said Chief Justice Todd.

“While Dauphin County President Judge Scott Evans has taken appropriate and necessary steps to bring consistency and stability to the office, Friday’s abrupt departure of the Clerk of Courts and her two deputies necessitated swift action by the Supreme Court.”

By Order of the Court, the President Judge is directed to temporarily appoint an acting Clerk of Court to ensure that the duties assigned to the Office of the Clerk of Courts of Dauphin County are performed continuously, until such time as the executive branch appoints a replacement for the Clerk of Courts to remediate the leadership void in that county office.

The Order requires the President Judge to certify that an orderly transition of the leadership of the Office of the Clerk of Courts to the executive branch appointee has been accomplished and that the necessary support for the judiciary and the proper and timely administration of justice can be maintained.

The Chief Justice noted that issuance of an Order by the Court will ensure that the President Judge takes immediate action to minimize any disruption to judicial operations and will bolster public confidence in access to justice and criminal recordkeeping in Dauphin County.

Any objections to the Order may be submitted to the Court on the specified docket within ten days after entry, with service to the President Judge.

The Court’s Order is effective immediately.

Established in 1722, the Supreme Court of Pennsylvania is the oldest appellate court in the country and has played an important role in the history of the Commonwealth. As the state's highest court, the seven justices make the final decisions interpreting Pennsylvania's laws and Constitution, have full administrative authority over Pennsylvania's judicial system and hear cases involving issues of immediate public importance arising in any court in the Commonwealth.

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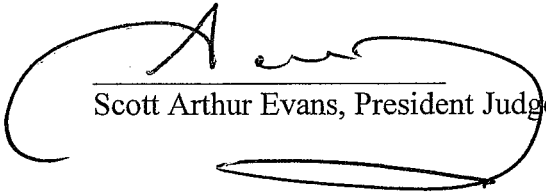




shall discharge all duties of the office of Clerk of Courts as conferred by the Constitution and laws of this Commonwealth.

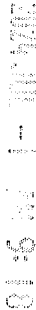
This Order shall be deemed sufficient to authorize all actions necessary to implement its provisions.

BY THE COURT:

  
\_\_\_\_\_  
Scott Arthur Evans, President Judge

Distribution:

President Judge Scott Arthur Evans  
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Marisa McClellan, Children and Youth  
Gregory Briggs, Dauphin County Prison  
Matt Miller, Work Release Center  
Amanda Carter, Fines & Costs  
Troy Petery, Deputy Court Administrator - Criminal  
Jennifer Simpson, Deputy Court Administrator – Human Resources  
Sara Shaffer, Deputy Court Administrator – Civil  
Jamira Williams, Deputy Court Administrator – Magisterial District Judges  
Marian Urrutia, Magisterial District Judge 12-1-01  
J. Matthew Pianka, Magisterial District Judge 12-1-02  
Mikaela Sloan, Magisterial District Judge 12-1-04  
Hanif L. Johnson, Magisterial District Judge 12-1-05  
Wendy J. F. Grella, Esq., Magisterial District Judge 12-1-06  
Michael J. Smith, Magisterial District Judge 12-2-01  
Kenneth A. Lenker, Magisterial District Judge 12-2-02  
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Rebecca J. Margerum, Esq., Magisterial District Judge 12-3-01  
William Wenner, Magisterial District Judge 12-3-03  
Dominic A. Pelino, Magisterial District Judge 12-3-04  
Dale Klein, Esq., Magisterial District Judge 12-3-05

**IN THE SUPREME COURT OF PENNSYLVANIA**  
**WESTERN DISTRICT**

IN RE: DECLARATION OF JUDICIAL	:	No. 620
EMERGENCY FOR THE TWELFTH	:	
JUDICIAL DISTRICT	:	Judicial Administration Docket
	:	

**PER CURIAM**

AND NOW, this 29th day of June, 2024, pursuant to Rule of Judicial Administration 1952(A) and the Pennsylvania Supreme Court's constitutionally-conferred general supervisory and administrative authority over the courts, see Pa. Const. art. V, §10(a) — including the Court's authority over essential records of the judiciary maintained by clerks of courts and prothonotaries — this Court FINDS and DIRECTS as follows:

At the county level, clerks of courts are executive-branch row officers who perform essential recordkeeping functions on behalf of the judiciary. See *Olenginski v. Cty. of Luzerne*, 24 A.3d 1103, 1107 & n.2 (Pa. Cmwlth. 2011) (discussing the role of a clerk of courts analogue, *i.e.*, prothonotaries) (found persuasive in *Pa. State Ass'n of Jury Commissioners v. Commonwealth*, 78 A.3d 1020, 1035 n.16 (Pa. 2013)). Given the importance of judicial records to the proper and timely administration of justice, by necessity the judiciary supervises the recordkeeping function of county clerks of courts. See *Olenginski*, 24 A.3d at 1107 & n.2.

By May 2024, the President Judge of the Dauphin County Court of Common Pleas found substantial deficiencies and an unacceptable backlog in the filing, scanning, and processing of orders and documents by the Office of the Clerk of Courts of Dauphin

County. Thus, the President Judge issued a detailed administrative order requiring corrective action. When, in the judgment of the President Judge, corrective action did not ensue, the President Judge scheduled contempt proceedings.

Those proceedings were thwarted when, as of June 28, 2024, the Clerk of Courts Bridget Whitley abruptly resigned, as did First Deputy Cole Goodman, and Second Deputy Rogette Harris was terminated by the Clerk of Courts. Thus, all leadership positions in the Office of the Clerk of Courts of Dauphin County became vacant.

This Court finds that the unprecedented and untenable leadership void in the Office of the Clerk of Courts of Dauphin County constitutes a judicial emergency, since it significantly interrupts the performance of court operations by impeding the essential recordkeeping function. See Pa.R.J.A. 1951 (definition of "Emergency"). Accordingly, pursuant to this Court's authority under Rule of Judicial Administration 1952(A)(1), this Court DECLARES a local judicial emergency in the Twelfth Judicial District relative to the essential recordkeeping function.

The President Judge is DIRECTED to temporarily appoint an acting Clerk of Courts to ensure that the duties assigned to the Office of the Clerk of Courts of Dauphin County are performed continuously, until such time as the executive branch appoints a replacement for the Clerk of Courts to remediate the leadership void in that county office.

This order SHALL TERMINATE upon the President Judge's certification that an orderly transition of the leadership of the office of the Clerk of Courts to the executive branch appointee has been accomplished and that the necessary support for the judiciary and the proper and timely administration of justice can be maintained.

Any objections to this Order may be submitted to the Court on this docket within ten days after entry, and shall also be served on the President Judge.

A True Copy Nicole Traini  
As Of 06/29/2024

Attest: Nicole Traini  
Chief Clerk  
Supreme Court of Pennsylvania