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Subject: law firms and essential court functions

Several of you have asked about the apparent tension between (1) the executive branch's request, with which the Supreme Court complied, that Pennsylvania courts be closed except for essential functions, and (2) the Governor's order of yesterday closing the physical location of businesses that are not life-sustaining. Per the directive, legal services are not life-sustaining.

The provision of legal services is necessary to maintain essential court operations, which continue under the Supreme Court's Order of March 18. Again, the Supreme Court followed the strong recommendation of the executive branch.

In order to provide legal services in matters deemed essential by president judges, legal professionals undoubtedly will need some access to their offices, systems, and files. Similarly, in-person meetings with clients may be necessary, and law offices may be safer places for those meetings than public streets or courthouse hallways or conference rooms.

The guidance set forth below has been approved by the Governor's Office of General Counsel.

In the view of AOPC, restricted access to law offices and facilities by legal professionals, staff, and clients is permitted to the degree necessary to allow attorneys to participate in court functions deemed essential by a President Judge per the Supreme Court's order of March 18, 2020, so long as social distancing and other mitigation measures are employed for the protection of lawyers, staff, and clients. Pursuant to the Governor's order, all other business must be conducted remotely; necessary retrieval of files or other materials should be accomplished expeditiously.

Geoff



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