

Amended Lancaster County
Court of Common Pleas
Warrant Protocol for Warrants
Issued by the Magisterial
District Courts

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Amendment to Lancaster County Court of Common Pleas Warrant Protocol for Warrants Issued by the Magisterial District Courts

On May 9, 2016, the Court Issued an Administrative Order docketed to AD1-2016, which addressed the issuance and service of Warrants in Lancaster County, Pennsylvania. At the same time, the Court adopted the Lancaster County Court of Common Pleas Warrant Protocol for Warrants Issued by the Magisterial District Courts (“the Protocol”) to provide guidance to Lancaster County Magisterial District Judges in complying with the Administrative Order.

The Financial Section of the Protocol instructed Magisterial District Courts how to assess fees on cases where the Lancaster County Sheriff’s Office advised the defendant that he/she/it had a Warrant by sending a letter to the defendant or leaving a “Green Card” at the defendant’s residence. Specifically, Magisterial District Courts were instructed that if a defendant responded to a letter or “Green Card” to resolve an outstanding Warrant, the Magisterial District Court was to assess a \$39.00 Warrant Fee, per defendant, payable to the Lancaster County Sheriff’s office. If a defendant was committed to Lancaster County Prison, a Warrant Fee of \$59.00 was to be assessed, per defendant.

In an effort to reduce the costs to defendants with more than one Warrant from a Magisterial District Court, the \$39.00 or \$59.00 Warrant Fee was to be assessed on only one case and not all of them. Since 2016, many defendants benefited from having Warrant Fees assessed on only one Warrant per Magisterial District Court, resulting in significant savings for those defendants.

As part of the effort to continuously review the Warrant service process in Lancaster County, Magisterial District Courts shall assess Warrant Fees in a different fashion. The Lancaster County Sheriff’s Office will continue to generate and send letters to defendants, or leave “Green Cards”, notifying them that a Warrant has been issued and directing them to contact the Magisterial District Court to resolve the outstanding Warrant. At the same time the Lancaster County Sheriff’s Office sends the letter, or leaves a “Green Card”, it will also complete and send to the Magisterial District Court, the return of service portion of the Warrant for the inclusion of a \$9.00 fee for the receiving, docketing, and making return of the Warrant pursuant to 42 P.S. § 21111 (“Warrant Docketing Fee”).

Additionally, pursuant to 42 P.S. § 21119, the Lancaster County Sheriff’s Office will charge a \$2.00 fee, per Warrant, as “costs, charges and expenses incident to” executing a Warrant pursuant to 42 P.S. § 21111 (“Warrant Costs Fee”). The Sheriffs shall complete the return of service for the \$9.00 Warrant Docketing Fee and the \$2.00 Warrant Costs Fee for all Warrants issued to the defendant.

If a defendant responds to a letter or “Green Card” issued by the Lancaster County Sheriff’s Office, an \$11.00 fee comprised of a \$9.00 Warrant Docketing Fee and a \$2.00 Warrant Costs Fee, only, shall be assessed to each case a defendant has in a Magisterial District Court. This fee will only be assessed if the Lancaster County Sheriff’s Office forwarded to the Magisterial District Court a completed return of service requesting payment for the \$9.00 Warrant Docketing Fee and the \$2.00 Warrant Costs Fee. If the Sheriff’s Office does not send a

completed return of service requesting payment for the \$9.00 Warrant Docketing Fee and \$2.00 Warrant Costs Fee, the Magisterial District Court shall not assess those fees.

For defendants who appear using advanced communication technology at the Lancaster County Sheriff's Office or are brought to the Magisterial District Court by a Lancaster County Deputy Sheriff, the Magisterial District Court shall assess a Warrant Service Fee of \$41.00 on one Warrant and an \$11.00 fee (comprised of a \$9.00 Warrant Docketing Fee and a \$2.00 Warrant Costs Fee) on each additional warrant that is active within any other Magisterial District Court. If a defendant is committed to Lancaster County Prison, the Magisterial District Court shall assess a \$61.00 Warrant Service Fee on one Warrant and an \$11.00 fee (comprised of a \$9.00 Warrant Docketing Fee and a \$2.00 Warrant Costs Fee) on each additional warrant that is active within any other Magisterial District Court. The Lancaster County Sheriff's Office shall provide the Magisterial District Court with a return of service for each Warrant, identifying the Warrant fees.

The following sentences in paragraph 5 of the Financial Section are removed: "Any server fee notice generated by the Magisterial District Judge System (MDJS) shall be provided to the Sheriff's Office. This process will permit the Lancaster County Controller's Office to accurately monitor the fees collected and paid to the Sheriff's Office."

Additionally, paragraphs 2-4 in Receipting Monies under the Financial Section have been removed along with Addendum B for daily processing clarification. The protocol has been amended to reflect the above-mentioned changes.

Transfer of Warrants and Supplemental Information from the Magisterial District Courts to the Sheriff's Office

Warrant Data - All warrants of the magisterial district courts are entered in the Magisterial District Judges System (MDJS). As this information is entered into the system, the Administrative Office of Pennsylvania Courts has made available a copy of the data to Lancaster County Information Technology Department who are able to extract pertinent warrant data from this system and use it to populate the Lancaster County Sheriff's Office's (hereinafter "Sheriff's Office") warrant management system. Using this process, the Sheriff's Office will be provided with all the data pertaining to new warrants issued by the magisterial district courts. Name, address, personal identifiers, charge information, docket number, warrant number, etc are all available to the Sheriff's Office. This operation is seamless and does not require any action to be taken on behalf of the magisterial district courts.

Warrant Images - Once a warrant has been issued by a magisterial district court, the user will be presented with an option to export and save the warrant to a drive located on their workstation. This export and save feature will be presented whether the warrant was issued individually or as part of a "batch processing". After the warrant has been saved, the document will be available to be sent as an attachment in an email to the Sheriff's Office using the process outlined in Addendum A (attached).

Supplemental Information (ie: copies of citations) – When the warrant to be served upon an individual is a predispositional warrant that was issued because a defendant failed to respond to a citation or summons, the Sheriff's Office will contact the appropriate Magisterial District Court and request a copy of the citation to serve the defendant when the warrant is executed. All supplemental information can be scanned and sent to the Sheriff's Office using the copier in each magisterial district court. When sending any supplemental information to the Sheriff's Office, the first page of the warrant shall be copied and scanned with the supplemental information. The first page of the warrant should be scanned first followed by the supplemental information.

Issuance of Warrants – Although all arrest and bench warrants will be sent to a centralized warrant control located and operated by the Sheriff's Office, the individual, constable, person or agency to whom a warrant is issued depends upon the type of warrant as follows:

- a. All Criminal Arrest Warrants shall be issued to the Police Department of origin with a copy of the warrant being sent to the Sheriff's Office.
- b. All Criminal Bench Warrants shall be issued to the Sheriff's Office with a copy of the warrant being sent to the Police Department of origin.
- c. Any warrant issued in a summary case shall be issued to the Sheriff's Office.
- d. Any warrant not previously issued to the Sheriff's Office shall be provided immediately to the Sheriff's Office upon request.

Types of Warrants - Pursuant to Pa R.Crim.P. No. 430, warrants in summary cases are issued as follows:

(A) Arrest warrants initiating proceedings. A warrant for the arrest of the defendant shall be issued when:

- (1) the citation or summons is returned undelivered; or
- (2) the issuing authority has reasonable grounds to believe that the defendant will not obey a summons.

(B) Bench warrants

(1) A bench warrant shall be issued when:

- (a) the defendant fails to respond to a citation or summons that was served upon the defendant personally or by certified mail return receipt requested; or
- (b) the defendant has failed to appear for the execution of sentence as required in Rule 454(F)(3).

(2) A bench warrant may be issued when a defendant has entered a not guilty plea and fails to appear for the summary trial, if the issuing authority determines, pursuant to Rule 455(A), that the trial should not be conducted in the defendant's absence.

(3) A bench warrant may be issued when:

- (a) the defendant has entered a guilty plea by mail and the money forwarded with the plea is less than the amount of the fine and costs specified in the citation or summons; or
- (b) the defendant has been sentenced to pay restitution, a fine, or costs and has defaulted on the payment; or
- (c) the issuing authority has, in the defendant's absence, tried and sentenced the defendant to pay restitution, and/or to pay a fine and costs and the collateral deposited by the defendant is less than the amount of the fine and costs imposed.

(4) No warrant shall issue under paragraph (B)(3) unless the defendant has been given notice in person or by first class mail that failure to pay the amount due or to appear for a hearing may result in the issuance of a bench warrant, and the defendant has not responded to this notice within 10 days. Notice by first class mail shall be considered complete upon mailing to the defendant's last known address.

Warrant Processing

Given the vast geographic area of Lancaster County and the number of personnel involved in the service of warrants issued by the magisterial district courts, it was recognized early on by the committee involved in the development of this warrant protocol that the processing of warrants needs to be as efficient as possible. To facilitate the effective administration of justice, the Sheriff's Office has exclusive authority to forward for service a copy of any arrest or bench warrant to and/or refer any police officer, constable, person, or agency authorized by law to serve warrants to the appropriate Magisterial District Court for a copy of the warrant.

Warrants originating from one Magisterial District Court – When a defendant is taken into custody and has only one warrant or multiple warrants that are issued by one magisterial district court, the Sheriff's Office, police officer, constable, person or agency authorized by law to serve warrants will contact the magisterial district court that issued the warrant to make arrangements for the warrant to be processed. If the Magisterial District Judge cannot process the warrant(s) within one hour from the time he/she was contacted, the Sheriff's Office, police officer, constable, person or agency authorized by law to serve warrants should be so informed so arrangements can be made to contact the on call or duty Magisterial District Judge for that sector who shall process the warrant(s) for that defendant.

Magisterial District Judges should make every effort to be available within the one-hour time frame established by this protocol. Only in rare circumstances such as a prolonged complex hearing should the processing of a warrant be deferred to the on-call duty Magisterial District Judge. If necessary, a criminal block could be interrupted to permit the processing of a warrant. Whether the defendant is taken before the Magisterial District Judge that issued the warrant or the on call duty Magisterial District Judge, the warrant shall be processed in accordance with Pa.R.Crim.P. No. 431(B)&(C) as follows.

(B) Arrest Warrants Initiating Proceedings

- (1) When an arrest warrant is executed, the police officer shall either:
 - (a) accept from the defendant a signed guilty plea and the full amount of the fine and costs if stated on the warrant;
 - (b) accept from the defendant a signed not guilty plea and the full amount of collateral if stated on the warrant; or
 - (c) if the defendant is unable to pay, cause the defendant to be taken without unnecessary delay before the proper issuing authority.
- (2) When the police officer accepts fine and costs, or collateral under paragraphs (B)(1) (a) or (b) the officer shall issue a receipt to the defendant setting forth the amount of fine and costs, or collateral received and return a copy of the receipt, signed by the defendant and the police officer, to the proper issuing authority.
- (3) When the defendant is taken before the issuing authority under paragraph (B)(1)(c),
 - (a) the defendant shall enter a plea; and

(b) if the defendant pleads guilty, the issuing authority shall impose sentence. If the defendant pleads not guilty, the defendant shall be given an immediate trial unless:

(i) the Commonwealth is not ready to proceed, or the defendant requests a postponement or is not capable of proceeding, and in any of these circumstances, the issuing authority shall release the defendant on recognizance unless the issuing authority has reasonable grounds to believe that the defendant will not appear, in which case, the issuing authority may fix the amount of collateral to be deposited to ensure the defendant's appearance on the new date and hour fixed for trial; or

(ii) the defendant's criminal record must be ascertained prior to trial as specifically required by statute for purposes of grading the offense charged, in which event the issuing authority shall release the defendant on recognizance unless the issuing authority has reasonable grounds to believe that the defendant will not appear, in which case, the issuing authority may fix the amount of collateral to be deposited to ensure the defendant's appearance on the new date and hour fixed for trial, which shall be after the issuing authority's receipt of the required information.

(iii) In determining whether it is necessary to set collateral and what amount of collateral should be set, the issuing authority shall consider the factors listed in Rule 523. The amount of collateral shall not exceed the full amount of the fine and costs.

(iv) If collateral has been set, the issuing authority shall state in writing the reason(s) why any collateral other than release on recognizance has been set and the facts that support a determination that the defendant has the ability to pay monetary collateral.

(v) If collateral is set and the defendant does not post collateral, the defendant shall not be detained without a trial longer than 72 hours or the close of the next business day if the 72 hours expires on a non-business day.

(c) If the defendant is under 18 years of age and cannot be given an immediate trial, the issuing authority promptly shall notify the defendant and defendant's parents, guardian, or other custodian of the date set for the summary trial, and shall release the defendant on his or her own recognizance.

(C) Bench Warrants

(1) When a bench warrant is executed, the police officer shall either:

(a) accept from the defendant a signed guilty plea and the full amount of the fine and costs if stated on the warrant;

(b) accept from the defendant a signed not guilty plea and the full amount of collateral if stated on the warrant;

(c) accept from the defendant the amount of restitution, fine, and costs due as specified in the warrant if the warrant is for collection of restitution, fine, and costs after a guilty plea or conviction; or

(d) if the defendant is unable to pay, promptly take the defendant for a hearing on the bench warrant as provided in paragraph (C)(3).

(2) When the defendant pays the restitution, fine, and costs, or collateral pursuant to paragraph (C)(1), the police officer shall issue a receipt to the defendant setting forth the amount of restitution, fine, and costs received and return a copy of the receipt, signed by the defendant and the police officer, to the proper issuing authority.

(3) When the defendant does not pay the restitution, fine, and costs, or collateral, the defendant promptly shall be taken before the proper issuing authority when available pursuant to Rule 117 for a bench warrant hearing. The bench warrant hearing may be conducted using two-way simultaneous audio-visual communication.

Since many of the magisterial district courts in the same sector have a good working relationship, this protocol gives discretion to the magisterial district court processing the warrant(s) on behalf of another magisterial district court to complete all the paperwork involved in the processing of the warrant or have the magisterial district court of origin complete the paperwork and send it to the defendant by mail. Another option would be for the magisterial district court of origin to complete the paperwork while the defendant is present and transmit the paperwork to the on-call duty Magisterial District Judge for the defendant to sign prior to leaving.

It is the intent of this protocol that if the on-call duty Magisterial District Judge handles the processing of a warrant that requires a payment determination hearing, he/she will actually conduct a payment determination hearing and not simply schedule it for a later date with the Magisterial District Judge who issued the warrant. It is recognized in the circumstance where there is a reasonable likelihood of imprisonment, a payment determination hearing cannot be held if the defendant invokes his/her right to be represented by counsel. In that instance, the on-call duty Magisterial District Judge shall follow the procedure set forth in Pa.R.Crim.P. 456(c)(1-3). Thus, the scheduling of a payment determination hearing in the future with the Magisterial District Judge who issued the warrant should not be the default procedure for the handling of a warrant issued by another Magisterial District Judge and should only be used after the thoughtful analysis that the defendant faces the likelihood of imprisonment.

Warrants originating from more than one Magisterial District Court - In the event that a defendant has been arrested on more than one warrant issued by different Magisterial District Judges, the individual may be taken before any Magisterial District Judge who issued a warrant. That Magisterial District Judge shall conduct a hearing on all the warrants on which the defendant was arrested. The Sheriff's Office, police officer, constable, person or agency authorized by law to serve warrants shall first contact the magisterial district court with the most issued warrants to process all the warrants for the defendant. If that Magisterial District Judge cannot process the warrants within one hour from the time he/she was contacted, the Sheriff's Office, police officer, constable, person or agency authorized by law to serve warrants shall contact the Magisterial District Judge with the next most issued warrants for the defendant. In the event that no Magisterial District Judge who issued a warrant is available within one hour

from the time he/she was contacted, the on-call duty Magisterial District Judge for the sector of the Magisterial District Judge with the most issued warrants shall process all outstanding warrants against the defendant.

Magisterial District Judges should make every effort to be available within the one-hour time frame established by this protocol. Only in rare circumstances such as a prolonged complex hearing should the processing of a warrant be deferred to another Magisterial District Judge. If necessary, a criminal block could be interrupted to permit the processing of a warrant. Whether the defendant is taken before the Magisterial District Judge that issued the warrant or the on-call duty Magisterial District Judge, the warrant shall be processed in accordance with Pa.R.Crim.P. No. 431(B)&(C).

If a defendant who has warrants from more than one magisterial district court has money to apply to fines and costs, or apply as collateral, the Magisterial District Judge processing the warrants has discretion to apply the defendant's money as he/she sees fit. When the processing of warrants for a defendant issued from more than one magisterial district court requires the Magisterial District Judge to conduct a payment determination hearing, and the Magisterial District Judge determines the defendant is unable to pay in full, he/she may order the defendant to pay in installments. If the Magisterial District Judge does so, he/she shall determine how much the defendant is able to pay, and then divide that amount by the number of magisterial district courts to which the defendant owes money. For example, if the Magisterial District Judge determines that a defendant is able to pay \$75.00 per month and owes money to 3 magisterial district courts, Time Payment Orders shall be set-up for \$25.00/month per magisterial district court. If a Magisterial District Judge determines the defendant is unable to pay in full, he/she shall not order that the defendant perform community service for another Magisterial District Judge.

This protocol gives discretion to the magisterial district court processing the warrants on behalf of another magisterial district court to complete all the paperwork involved in the processing of the warrants or have the magisterial district court(s) of origin complete the paperwork and send it to the defendant by mail. Another option would be for the magisterial district court(s) of origin to complete the paperwork while the defendant is present and transmit the paperwork to the on-call duty Magisterial District Judge for the defendant to sign prior to leaving. Regardless of which processing method is used, there needs to be communication between the magisterial district court processing the warrants and the magisterial district court(s) of origin.

It is the intent of this protocol that if the on-call duty Magisterial District Judge handles the processing of a warrant that requires a payment determination hearing, he/she will actually conduct a payment determination hearing and not simply schedule it for a later date with the Magisterial District Judge who issued the warrant. It is recognized in the circumstance where there is a reasonable likelihood of imprisonment, a payment determination hearing cannot be held if the defendant invokes his/her right to be represented by counsel. In that instance, the on call duty Magisterial District Judge shall follow the procedure set forth in Pa.R.Crim.P. 456(c)(1-3). Thus, the scheduling of a payment determination hearing in the future with the Magisterial District Judge who issued the warrant should not be the default procedure for the handling of a warrant issued by another Magisterial District Judge and should only be used after the thoughtful analysis that the defendant faces the likelihood of imprisonment.

Processing warrants using advanced communication technology with Lancaster County Prison – As defendants are committed to Lancaster County Prison, a background check for outstanding warrants involving the magisterial district courts is performed. If it is determined that there are outstanding warrants in any of the magisterial district courts, staff of Lancaster County Prison will notify the magisterial district court of origin as well as the Sheriff's Office by indicating the name of the defendant and the docket number(s) for the defendant. It is the responsibility of the magisterial district court of origin to schedule a video conference with the defendant to resolve the warrant(s) in accordance with Pa.R.Crim.P. 431(B)&(C).

Magisterial District Judges should make every effort to address any outstanding warrants involving an incarcerated defendant as soon as possible since the defendant's incarceration status could change with little notification. If an incarcerated defendant is later transported to the Lancaster County Courthouse for a hearing and the Sheriff's Office determines that the warrants remain outstanding and the magisterial district court was previously notified, the Sheriff's Office will contact the magisterial district court of origin to resolve the warrant(s) in accordance with Pa. R.Crim.P. 431(B)&(C) while the defendant is located at the Lancaster County Courthouse.

Despite the best efforts of the magisterial district courts, Sheriff's Office and the Lancaster County Prison to resolve outstanding warrants while a defendant is incarcerated, there may be occasions where a defendant's release from Lancaster County Prison is imminent, and the warrants remain outstanding. In those instances, the Lancaster County Prison will send an email to the magisterial district court of origin. A video conference will be scheduled with the magisterial district court of origin to resolve any outstanding warrants prior to the release of the defendant. In the event the defendant is released prior to the outstanding warrant(s) being resolved, the Sheriff's Office can be provided with updated demographic and contact information from the Lancaster County Prison regarding the defendant.

Financial

Defendant Surrenders Him/Herself to the Magisterial District Court - The Sheriff's Office of Lancaster County will be relying on new technological capabilities to maximize efficiencies in the service of warrants issued to their office after June 1, 2016. First and foremost, the Warrant Management System will automatically generate and send letters to defendants notifying them that a warrant has been issued and directing them to contact the magisterial district court to resolve the outstanding warrant.

Additionally, the Sheriff's Office will be issuing "Green Cards" directly to defendants, leaving them at their address or providing them to family members instructing them to contact the magisterial district court to resolve the outstanding warrant. Each letter that is generated and each contact (or attempt to contact) that is made with the defendant will be recorded in the Sheriff's Warrant Management System.

At the same time the Lancaster County Sheriff's Office sends the letter and/or issues a "Green Card", it will also complete and send to the Magisterial District Court, the return of service portion of the Warrant for the inclusion of a \$9.00 fee for the receiving, docketing and making return of the Warrant pursuant to 42 P.S. § 21111 ("Warrant Docketing Fee").

42 P.S. § 21111 Warrants and attachments

For executing a process, warrant, attachment, decree, sentence or order of the court, issued in court on a person or taking the defendant's body into custody, the party procuring the process, writ, order or decree or, if the Commonwealth is interested, the county, will pay the following fees:

- (1) Receiving, docketing and making return (Warrant Docketing Fee).....\$9.00
- (2) Each Arrest.....\$30.00
- (3) Each commitment to jail, correctional institution, asylum or
place of detention pursuant to a lawful order.....\$20.00
- (4) Removing a person from any place of confinement
pursuant to a lawful order.....\$20.00

Additionally, pursuant to 42 P.S. § 21119, the Lancaster County Sheriff's Office will charge a \$2.00 fee, per Warrant, as "costs, charges and expenses incident to" executing a Warrant pursuant to 42 P.S. § 21111 ("Warrant Costs Fee"). The Sheriff shall complete the return of service for the \$9.00 Warrant Docketing Fee and the \$2.00 Warrant Costs Fee for all Warrants issued to the defendant.

If a defendant appears at a Magisterial District Court in response to a letter or "Green Card" issued by the Lancaster County Sheriff's Office, an \$11.00 fee (comprised of a \$9.00 Warrant Docketing Fee and a \$2.00 Warrant Costs Fee), only, shall be assessed to each case a defendant has in a Magisterial District Court. This fee will only be assessed if the Lancaster County Sheriff's Office forwarded to the Magisterial District Court a completed return of service requesting payment for the \$9.00 Warrant Docketing Fee and the \$2.00 Warrant Costs Fee. If the Sheriff's Office does not send a completed return of service requesting payment for the \$9.00

Warrant Docketing Fee and \$2.00 Warrant Costs Fee, the Magisterial District Court shall not assess those fees.

Defendant is brought before the Magisterial District Court by the Sheriff - For defendants who appear using advanced communication technology at the Lancaster County Sheriff's Office or are brought to the Magisterial District Court by a Lancaster County Deputy Sheriff, the Magisterial District Court shall assess Warrant Service Fee of \$41.00 on one Warrant and an \$11.00 fee (comprised of a \$9.00 Warrant Docketing Fee and a \$2.00 Warrant Costs Fee) on each additional warrant that is active within any other Magisterial District Court. If a defendant is committed to Lancaster County Prison, the Magisterial District Court shall assess a \$61.00 Warrant Service Fee on one Warrant and an \$11.00 fee (comprised of a \$9.00 Warrant Docketing Fee and a \$2.00 Warrant Costs Fee) on each additional warrant that is active within any other Magisterial District Court. The Lancaster County Sheriff's Office shall provide the Magisterial District Court with a return of service for each Warrant, identifying the Warrant fees.

All Warrant Service Fees in Traffic and Non-Traffic cases assessed by the magisterial district courts shall **NOT** be referred to the County. Warrant Service Fees in Criminal and Miscellaneous Docket cases **shall** be referred to the County. Monthly checks for warrant fees, along with the "Check Detail Report," will be issued to the Lancaster County Sheriff's Office by the magisterial district courts as part of the end of month reconciliation process.

Defendant is brought before the Magisterial District Court by a Constable – The Sheriff's Office has exclusive authority to forward for service a copy of any bench warrant or warrant of arrest and/or refer any police officer, constable, person, or agency authorized by law to serve warrants to the appropriate Magisterial District Court for a copy of the warrant.

The Sheriff's Office will implement practices and procedures by which warrants are provided to Constables and for what periods of time. As such, there will be occasions when Constables will be appearing in the magisterial district courts to effectuate the service of warrants and those warrants shall be processed in accordance with the Warrant Processing section of this protocol.

Additionally, the Lancaster County Sheriff's Office has been designated as the sole authority to approve payments to any police officer or agency authorized by law for any warrant served after June 1, 2016. Constables will therefore be submitting fee bills for the service of warrants and returns directly to the Sheriff's Office. If a Constable requests that a Magisterial District Judge approve payment for the service of a warrant that was issued after June 1, 2016, the Constable should be directed to submit their fees to the Sheriff's Office for payment.

Constables will be paid for effectuating a warrant and the fees applied to the cases will be in accordance with 44 Pa.C.S.A. § 7161 (g) as follows:

(g) Criminal cases.--Fees in criminal cases shall be as follows:

- (1) For executing each warrant of arrest or for effectuating the payment of fines and costs by attempting to execute each warrant of arrest, \$25 for each docket number and \$2.50 for each return of service, plus mileage.
- (2) For taking custody of a defendant, \$5 per defendant.
- (3) For conveyance of defendant to or from court, \$5 per defendant.

- (4) For attendance at arraignment or hearing, \$13.
- (5) For executing discharge, \$5 per defendant.
- (6) For executing commitment, \$5 per defendant.
- (7) For executing release, \$5 per defendant.
- (8) For making returns to the court, \$2.50.
- (9) Transporting each nonincarcerated defendant to jail, \$17, plus mileage; transporting an incarcerated prisoner, \$38 per prisoner, plus an hourly rate of \$13 per hour, plus mileage. Computation of hourly rate will apply after the expiration of the first hour per prisoner per hour, not to exceed \$26 per hour per constable.
- (10) Receipt of the fees for transporting a nonincarcerated defendant under paragraph (9) shall not exclude receipt of the fees under paragraphs (6) and (8) for that transport.
- (11) Receipt of the fees for transporting an incarcerated prisoner under paragraph (9) shall exclude receipt of the fees under paragraphs (2), (3), (4) and (7) for the transport.
- (12) Actual mileage for travel by motor vehicle shall be reimbursed at the rate equal to the highest rate allowed by the Internal Revenue Service. If travel is by other than motor vehicle, reimbursement shall be for vouchered travel expenses.
- (13) For conveying defendants for fingerprinting, \$17 per defendant, plus \$13 per hour beyond the first hour per defendant per hour, not to exceed \$26 per hour per constable, plus mileage.
- (14) For holding one or more defendants at the office of a magisterial district judge, \$13 per hour per defendant beyond the first half hour.
- (15) For courtroom security as ordered, \$13 per hour, assessed against one or more parties as determined by the court.
- (16) In all criminal cases wherein the defendant is discharged or indigent or the case is otherwise dismissed, the court shall assess to the county the fee provided in this section, except that, in cases of private criminal complaints where the defendant is discharged prior to the indictment or the filing of any information or the case is otherwise dismissed at the summary offense hearing, the court shall assess the fee to the affiant.

Since the Constables will be paid for the service of warrants by the Sheriff's Office, all Warrant Service Fees where a Constable is the server shall be referred to the County and the Constable shall be provided with the Server Fee Notice generated by the MDJS.

Warrants Executed via Advanced Communication Technology (Constable or Sheriff) – To maximize efficiency and take advantage of available technology, it is anticipated that the use of advanced communication technology to execute warrants will significantly increase after June 1, 2016. The Sheriff's Office currently has a video conferencing unit in their office and a dedicated workstation so defendants can make payments via the PaEpay system. Cases processed using advanced communication technology shall be assessed the same fees in the same manner as previously discussed in this protocol.

Receipting monies through Electronic Transfer Payment - Through the increased usage of advanced communication technology to conduct hearings with the magisterial district courts and interactions with defendants in the community, it is anticipated that the Sheriff's Office will be collecting fees from defendants on a regular basis. Therefore, a process has been implemented to return these fees to the magisterial district courts in a timely fashion, ensuring effective internal controls are followed and resulting in an efficient cost-effective process for all involved.

ADDENDUM A

Issuing Warrants to the Lancaster County Sheriff using the export feature of MDJS



ISSUING WARRANTS TO THE LANCASTER COUNTY SHERIFF

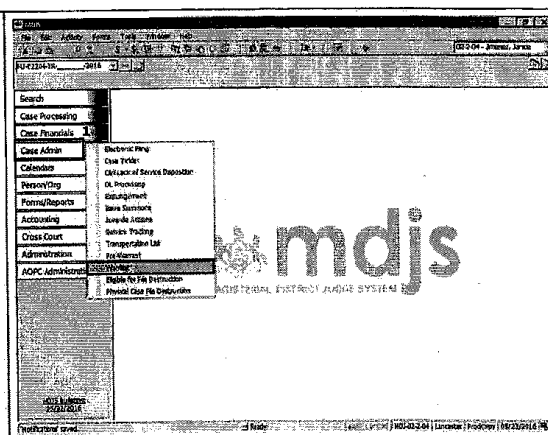
Effective June 1, 2016, Lancaster County will issue warrants (all Traffic and Non-Traffic Warrants as well as Criminal-Bench Warrants) to the Lancaster County Sheriff instead of issuing warrants to a specific Constable, Officer, or ORI.

Issuing Summary and Criminal warrant(s) in batch from the 'Warrant - Summary' screen follows the same process as courts use today with a few exceptions as follows:

- The Agent the warrant(s) will be issued to is 'Lancaster County Sheriff (PA0360000)'.
- Only (1) copy of the warrant will generate for each case. This will be the File Copy.
- The warrant(s) will then be exported to a file. This file will be attached to an email message and sent to the Sheriff's department.

Also, since Criminal Bench Warrants are issued from within the case, issuing warrants from within the case will be the same process as courts use today; however, the exceptions listed above will also apply.

1. Select **Case Admin** → **Warrant** from the Navigation Bar. The *Warrant - Summary* screen displays.



2. Select the appropriate case(s) in the grid.
3. Click **CREATE WARRANT(S)**.
The Warrant Update - Add screen displays.

The screenshot shows the 'Case Warrants' screen in the MDJS system. On the left is a sidebar with navigation links: Search, Case Warrants, Case Admin, Calendars, Persons/Corp, Forms/Reports, Accounts, Court Court, Administration, and ADPC Administration. The main area displays a grid of cases. The grid has columns for 'Case Number', 'Status', 'Date', 'Agent', and 'Warrant Status'. Several cases are listed, including those for 'Holloway, Robert E.', 'Williams, Michelle L.', 'White, Heather Ann', 'Carrero-Gonzalez, Rafael Yaniel', and 'Cruz, Orlando'. At the bottom of the grid, there are buttons for 'New Search' and 'Print'.

4. Complete the appropriate Status fields.
5. Select 'Citing Authority' from the **Agent** chevron and the 'Lancaster County Sheriff (PA0360000)' from the **Agent** drop-down list.

NOTE: If the Sheriff's Office is not already in the short list, perform a search. Click the **Ellipsis** icon. Search for PA0360000 in the **ORI** field.

6. Click **OK**. *The appropriate forms display in the Report Viewer.*

The screenshot shows the 'Warrant Update - Add' screen. It features a table with columns: 'Docket Number', 'Warrant Status', 'Amount Owed', and 'Warrant Fee'. The table lists several warrants, including those for 'Holloway, Robert E.', 'Williams, Michelle L.', 'White, Heather Ann', 'Carrero-Gonzalez, Rafael Yaniel', and 'Cruz, Orlando'. Below the table is a form for adding a new warrant. The form includes fields for 'Warrant Status' (set to 'Print/Issue'), 'Status Date' (05/23/2016), 'Authority' (Ximenes, Janice), and 'Agent' (Lancaster County Sheriff (PA0360000)). There is also a 'Status Comments' field. At the bottom right, there are 'OK' and 'Cancel' buttons.



7. Click **PRINT REPORT**. The Print screen displays.

COMBOWHEALTH OF PENNSYLVANIA
COUNTY OF LANCASTER

Bench Warrant

Jug. Dist. No.: MDJ-02-004
Jug. Dist. Name: Honorable Justice J. J. J.
Address: 706 A New Holland Ave
Grandview Plaza
Lancaster, PA 17602
Telephone: 717-299-7995

Complaint No.: F-0021478-0
Arresting Officer: O'Leary, Thomas
Arresting Agency: Lancaster Police Dept
Case File #: 011130011
Reason For Warrant: Failure to Appear
Offense Date: 11/23/2010
Last Offense: LO 1235-17 Parking/NO License Tags

Grand Jur.: Gretchen Allison Helm
Deputy No.: K3-02204-TR-0002402011
NOC OFR: 5015
DOC: 000
WARRANT BY: DIS705405004
Warrant Control No: 02204-8-11-00011772016

TO THE AGENCY: Lancaster County Sheriff

8. Select the appropriate printer.

9. Click **PRINT**.

NOTE: Only the File Copy of each warrant issued to 'Lancaster County Sheriff' will generate.

NOTE: Bar codes display at the bottom of the warrant so the warrants can be scanned at the Sheriff's Office.

Print

General | Layout

Select Printer

- Adobe PDF (from SARRDJS073) in session 5
- Lexmark T630 (MS) (Copy 2) (from SARRDJS073) in session 5**
- PrimoPDF (from SARRDJS073) in session 5

Status: Ready

Location:

Comment: Auto Created Client Printer SARRDJS073

Page Range

☒ All

☐ Selection

☐ Current Page

Pages: 1-156

Enter either a single page number or a single page range. For example: 5-12

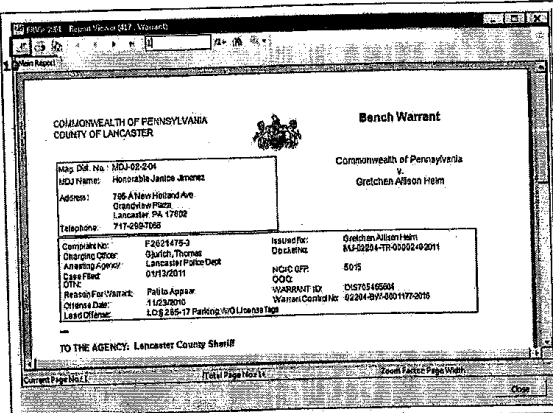
Number of copies: 1

☒ Collate

1 2 3 1 2 3

9 Print Cancel Apply

10. Click **EXPORT REPORT**. The Export Report screen displays.



Bench Warrant

Commonwealth of Pennsylvania
 County of Lancaster

Case No: 103-02-04
 MDJ Name: Honorable Justice J. Jones
 Address: 706 A New Holland Ave
 Grandview Plaza
 Lancaster, PA 17602
 Telephone: 717-299-7068

Complainant: F26214793
 Charging Officer: O'Leary, Thomas
 Arresting Agency: Lancaster Police Dept
 Date Filed: 05/13/2011
 DTIC: Filled to Appar
 Received For Warrant: 1/23/2010
 Offense Date: LOG 235-17 Parking in O'Leary's Top

Issued By: Gretchen Allison Helm
 Document: MU-02034-TM-05000-4-2011
 NCIC OFF: 5075
 OGC: WARRANT ID: DIS705456004
 Warrant Control No: 42204-011-000-117-2010

TO THE AGENCY: Lancaster County Sheriff

11. Browse to the appropriate file folder and select it.

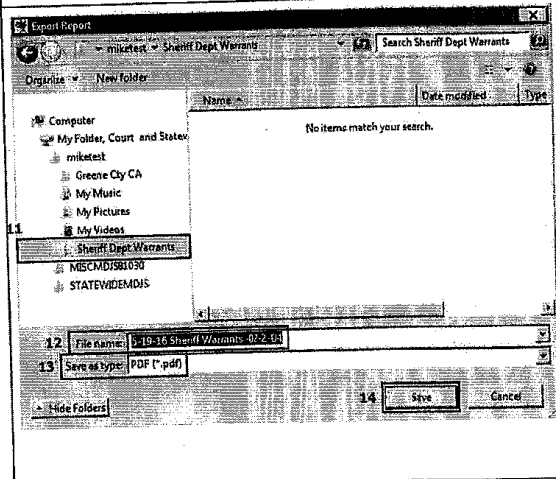
NOTE: If you need to create a new folder, click the **NEW FOLDER** button.

12. Enter the appropriate file name.

NOTE: For example, a recommended file name format is '5-19-16 - Sheriff Warrants - 02-2-04'. Adding the date and court number to the file name will be helpful for the Sheriff's Office.

13. Select 'PDF (*.pdf)' for **Save as type**.

14. Click **SAVE**. The file will be saved to the appropriate folder.



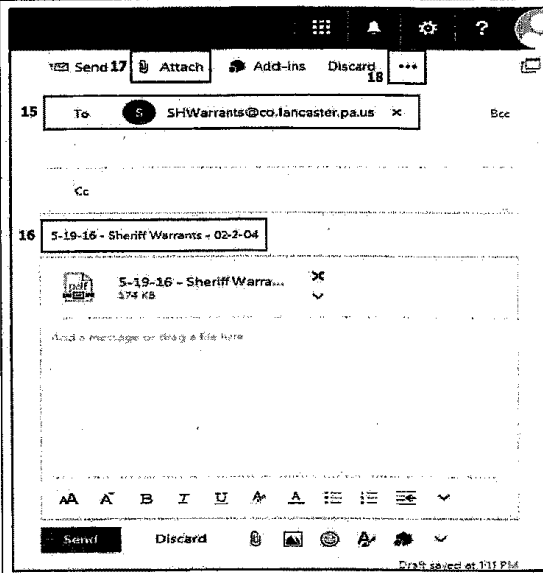
Export Report

File name: 5-19-16 Sheriff Warrants - 02-2-04

Save as type: PDF (*.pdf)

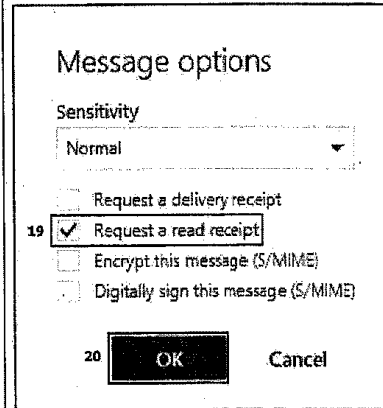
Buttons: Save, Cancel

15. Open your email, create a new message and address it to 'shwarrants@co.lancaster.pa.us'.
16. For the Subject line, enter the name of the file that will be attached.
17. Click **ATTACH**. Browse to the folder where the Warrant file was saved and select it, and click **OK**. *The attached file will appear below the subject line.*
18. Click **MORE COMMANDS** → **SHOW MESSAGE OPTIONS**.



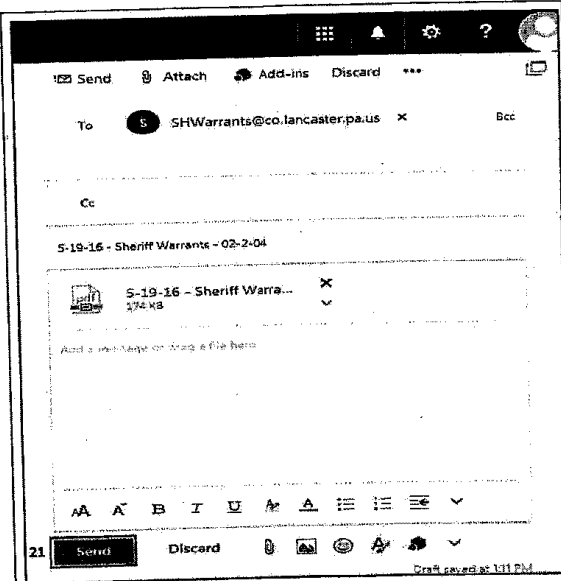
19. Select the **Request a read receipt** checkbox.

NOTE: It is recommended that you use the 'Request a read receipt' option when sending the email so you can confirm the warrant email was read by the Sheriff's Office.
20. Click **OK**.



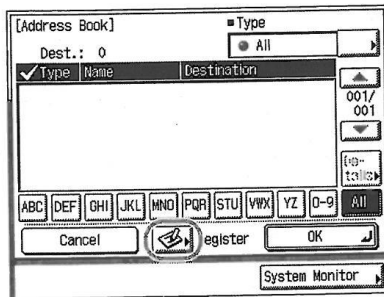


21. Click **SEND**. The message will now be sent to the Sheriff's Office with the attached file.

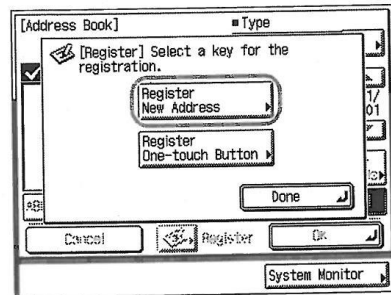


ADDENDUM B

Instructions to add e-mail addresses to address book of copier

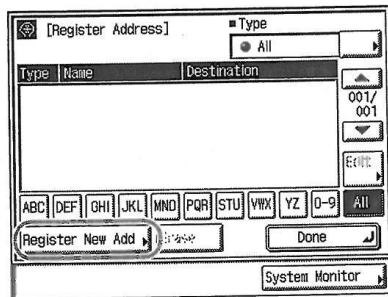


□ Press .



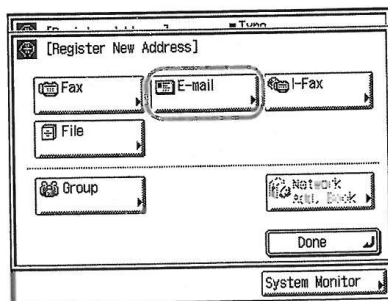
□ Press [Register New Address].

2



Press [Register New Add].

3



Press [E-mail].

4

Enter the e-mail address (up to 120 characters) using the on-screen keyboard → press [Next].



5

Enter the register name (up to 16 characters) using the on-screen keyboard → press [OK].



NOTE

The first character of the register name is used for sorting the address list when you press keys such as [ABC] and [DEF] on the Address Book screen.

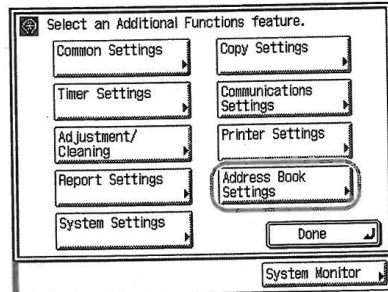
6

Press [Done].

The display returns to the Register Address screen.

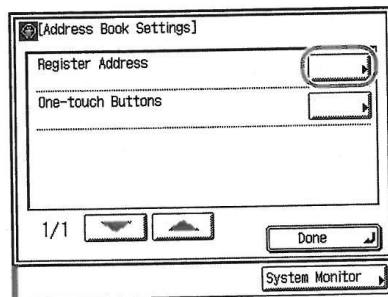
Adding E-Mail Addresses to the Copier

● If you want to access from the Additional Functions screen:



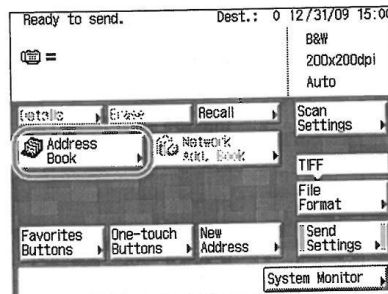
- ☐ Press  (Additional Functions) → [Address Book Settings].

If a password has been set for the Address Book, enter the password using ① - ⑨ (numeric keys) → press [OK].
(See Chapter 4, "Setting the Send Function," in the *System Settings Guide*.)



- ☐ Press [Register Address].

● If you want to access using the Register key on the Address Book screen:



- ☐ Press  (SEND) → [Address Book].

ADDENDUM C

Guilty Plea and Payment Determination Hearing Verification Form

COMMONWEALTH OF PENNSYLVANIA



MAGISTERIAL DISTRICT COURT _____

PLEA or PAYMENT DETERMINATION HEARING

DATE ____/____/____ DOCKET # _____

NAME _____

ADDRESS _____

PHONE (____) _____

DEFENDANT'S SIGNATURE: _____

☐ NOT Guilty Plea, schedule a trial COLLATERAL \$ _____

☐ Guilty Plea

☐ New Payment Plan

1st PAYMENT DUE ON ____/____/____ ☐ MONTHLY ☐ OTHER _____

<The defendant may make additional payments more often as they wish. Postage must be added when notifying defendant of a payment plan default.>

AMOUNT OF EACH PAYMENT \$ _____ TODAY'S PAYMENT \$ _____

MDJ SIGNATURE: _____

Completed for other court: MDJ ____/____/____

Forwarding Date: ____/____/____

☐ ADDITIONAL REMARKS:

ADDENDUM D

Receipting Electronic Transfer Payments from the Sheriff's Office



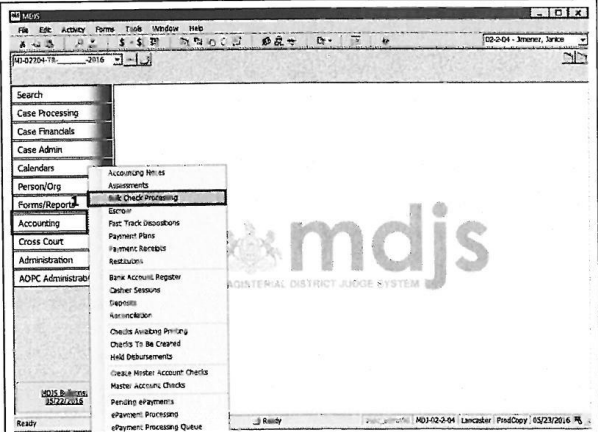
RECEIPTING ELECTRONIC TRANSFER PAYMENTS FROM THE SHERIFF'S OFFICE

When the Sheriff's Office receives payments for warrants issued to their ORI, the funds are electronically transferred and deposited into each court's bank checking account. This electronic deposit will typically occur once every day for the Lancaster courts.

To enable the courts to receipt the payments on the MDJS cases, the Sheriff's Office will send a daily email to the Lancaster magisterial district courts. The email will contain a report with the electronic transfer tracking number and a list of cases along with payment amounts.

To receipt the payments in the MDJS, the 'Bulk Check Processing' screen will be used. **Before, receipting the payments, the court staff person processing the warrant payments must ensure there are no other payments in their Cashier Drawer since the warrant payments will need to be in a separate deposit. The separate deposit amount must match the total amount on the report received from the Sheriff's Office. If payments exist in your open Cashier Drawer, close your Cashier Session before entering the payments from the Sheriff's Office. Closing the open drawer will ensure that the Sheriff's payments are receipted in a separate Cashier Drawer. When you finish entering the Sheriff's payments, be sure to Close, Balance and Deposit the drawer containing the Sheriff's payments before you begin to receipt other payments.**

1. Select **Accounting → Bulk Check Processing** from the Navigation Bar. *The Bulk Check Processing screen displays.*

The screenshot shows the MDJS software interface. On the left is a navigation bar with a tree view containing categories like Search, Case Processing, Case Financials, Case Admin, Calendars, Person/Org, Forms/Reports, Accounting, Cross Court, Administration, and AOPC Administration. The 'Accounting' category is expanded, showing a sub-menu with options: Accounting Items, Assessments, Bulk Check Processing (highlighted), Election, Post Track Disbursements, Payment Plans, Payment Statement, Restatements, Bank Account Register, Cashier Sessions, Deposits, Account Monitor, Checks Awaiting Printing, Checks To Be Cleared, H&M Disbursements, Check Number Account Checks, Master Account Checks, Pending Payments, ePayment Processing, and ePayment Processing Queue. The main window area is mostly blank with a large 'mdjs' watermark. The status bar at the bottom shows 'Ready' and some system information.

2. Click **ADD**. The Bulk Check - Add/Edit screen displays.

The screenshot shows the 'Bulk Check Processing' window. On the left is a navigation menu with options like Case Processing, Case Financials, Case Admin, etc. The main area has a 'Search' section and a 'Bulk Check Details' table. An 'Add' button is located in the top right corner of the main area, circled in red with the number 2.

3. Begin typing the payor's name 'Lancaster County Sheriff's Office' (Participant Account Number: 2016-0615065) in the **payor** field and click **OK**. The payor's name displays in the Payor field.

The screenshot shows the 'Bulk Check - Add/Edit' window. The 'Payor' field is filled with 'Lancaster County Sheriff's Office'. The 'Amount' field shows '\$924.58'. The 'Check Date' is '05/19/2016'. The 'Source' is 'Sheriff War'. The 'Check Number' is 'ACH0010224'. The 'Bank Transf Number' is 'ACH0010224'. The 'OK' button is circled in red with the number 7.

4. Enter **Receipt Comments**, if necessary.
5. Complete the appropriate Payment fields.
6. Select 'Sheriff Warrant' for the **Source**.
7. Click **OK**. The Bulk Check Processing screen displays.

8. Select the appropriate check in the top grid.

NOTE: The Check Status displays as 'In Progress.'

9. In the Bulk Check Details section, enter the **Docket Number** and press [Tab]. *The Docket Number displays in the field and the Short Caption and UDS Case Balance fields are populated.*

NOTE: If the Docket Number does not exist, the Find A Case screen displays.

10. Enter the appropriate **Applied Amount**.

11. Click **INSERT**. *The Bulk Check Details are added to the bottom grid.*

NOTE: To add additional Bulk Check Details, repeat Steps 8 - 10.

12. When the Total Applied Amount equals the Check Amount the Check Status displays in the top grid as 'Ready.' Click **PROCESS RECEIPT**. *The 'The Selected Receipt will be processed. Do you want to continue?' prompt displays. Click YES. The Bulk Check Processing Result screen displays.*

The screenshot shows the MDJS Bulk Check Processing application. The top grid lists available checks with columns for Date, Number, Amount, and Status. The 'Bulk Check Details' section allows users to enter a docket number (e.g., 10-02204-18-00000000-2016) and an applied amount. A table below this section lists case details, including docket numbers, case names, short captions, payment plans, UDS case balances, and applied amounts. The bottom grid displays the processed checks, showing the total applied amount and the check status.

13. Click **VIEW BULK CHK REPORT** to print a report of all cases received.

ACBCOT02 Bulk Check Processing Result

13 View Bulk Chk Report

Receipt Number	Receipt Amount	Applied Amount	Unapplied Escrow	UDS Case Balance	Payment Plan Balance	View Receipt
02204-2016-R0004731	\$25.08	\$25.08		\$0.00	\$0.00	
02204-2016-R0004732	\$94.50	\$94.50		\$0.00	\$0.00	
02204-2016-R0004733	\$130.00	\$130.00		\$0.00	\$0.00	
02204-2016-R0004734	\$605.00	\$605.00		\$0.00	\$0.00	
02204-2016-R0004735	\$70.00	\$70.00		\$9.00	\$9.00	

Close

14. Click **PRINT REPORT**. The Print screen displays.

Report Viewer (16.00: Bulk Check Summary Receipt)

Main Report

Magisterial District Court 02-2-04
Bulk Check Summary Receipt

Receipt No	Receipt No	Amount	Receipt Date	Receipt Amount	Receipt Amount	Cash Paid
Bulk Check No. 700554184						
02204-2016-R0004731	11-02204-16-00004731-2016	\$25.08	02/20/2016	\$25.08	\$25.08	\$0.00
02204-2016-R0004732	11-02204-16-00004732-2016	\$94.50	02/20/2016	\$94.50	\$94.50	\$0.00
02204-2016-R0004733	11-02204-16-00004733-2016	\$130.00	02/20/2016	\$130.00	\$130.00	\$0.00
02204-2016-R0004734	11-02204-16-00004734-2016	\$605.00	02/20/2016	\$605.00	\$605.00	\$0.00
02204-2016-R0004735	11-02204-16-00004735-2016	\$70.00	02/20/2016	\$70.00	\$70.00	\$0.00
	700554184 Total	\$924.58		\$924.58	\$924.58	\$0.00
Receipt Check: 5						

Current Page No: 1 Total Page No: 1 Zoom Factor: Page Width

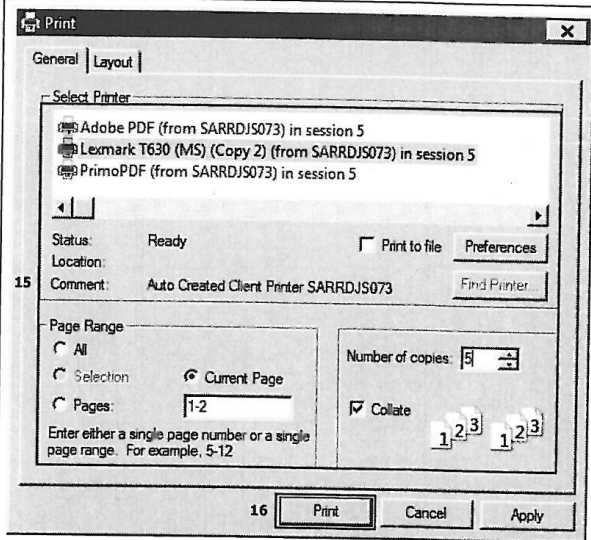
Close

15. Complete the appropriate fields.

NOTE: Printing the **Current Page** and changing the **Number of copies** will print one copy for each file.

16. Click **PRINT**.

17. Click **CLOSE** to close the Report Viewer.



Print

General | Layout

Select Printer

- Adobe PDF (from SARRDJS073) in session 5
- Lexmark T630 (MS) (Copy 2) (from SARRDJS073) in session 5
- PrimoPDF (from SARRDJS073) in session 5

Status: Ready ☐ Print to file Preferences

Location:

15 Comment: Auto Created Client Printer SARRDJS073 Find Printer

Page Range

☐ All ☒ Selection ☒ Current Page

Pages: 1-2

Enter either a single page number or a single page range. For example, 5-12

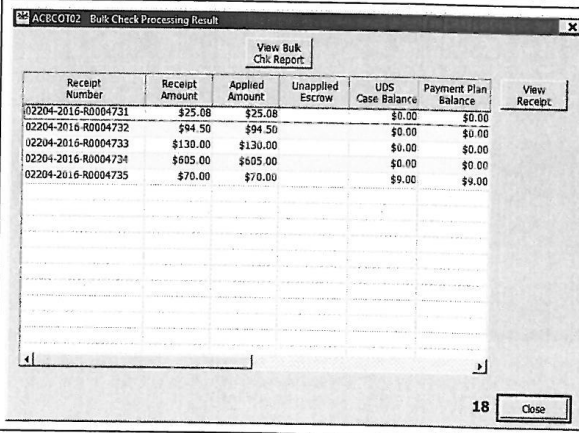
Number of copies: 5

☒ Collate 1 2 3 1 2 3

16 Print Cancel Apply

18. Click **CLOSE**. The 'An active warrant exists on this case that may need to be updated.' prompt displays. Click **OK**.

NOTE: Open each case to update the warrant.



ACBC0102: Bulk Check Processing Result

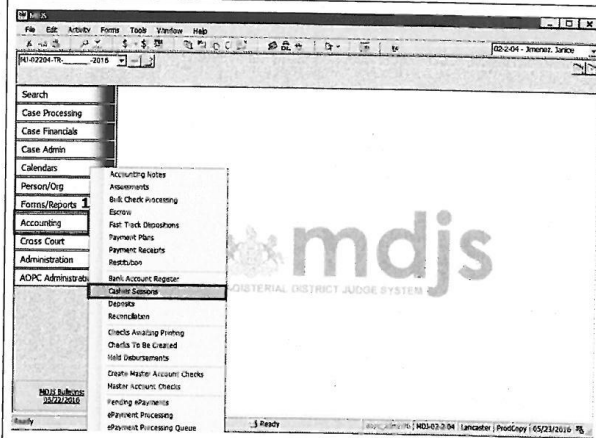
View Bulk Chk Report

Receipt Number	Receipt Amount	Applied Amount	Unapplied Escrow	UDS Case Balance	Payment Plan Balance	View Receipt
02204-2016-R0004731	\$25.08	\$25.08		\$0.00	\$0.00	
02204-2016-R0004732	\$94.50	\$94.50		\$0.00	\$0.00	
02204-2016-R0004733	\$130.00	\$130.00		\$0.00	\$0.00	
02204-2016-R0004734	\$605.00	\$605.00		\$0.00	\$0.00	
02204-2016-R0004735	\$70.00	\$70.00		\$9.00	\$9.00	

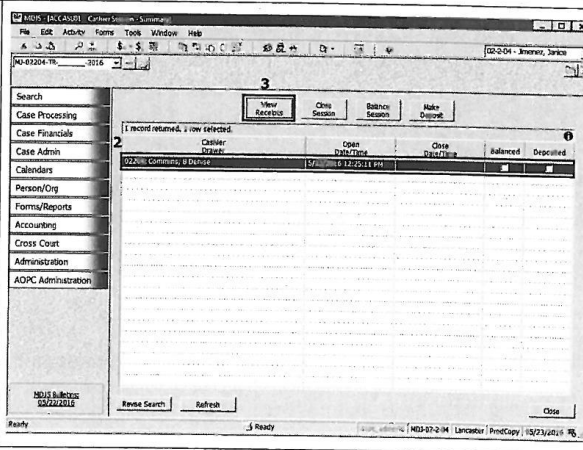
18 Close

Close, Balance, and Deposit the Cashier Session:

1. Select **Accounting** → **Cashier Sessions** from the Navigation Bar. *The Cashier Session - Summary screen displays.*



2. Select the cashier drawer in the grid containing the Sherriff Office's receipts.
3. Click **VIEW RECEIPTS**. *The Cashier Session - View Receipt screen displays.* Make sure these receipts match the payments listed in the report you receive from the Sheriff's Office. Click **CLOSE**.



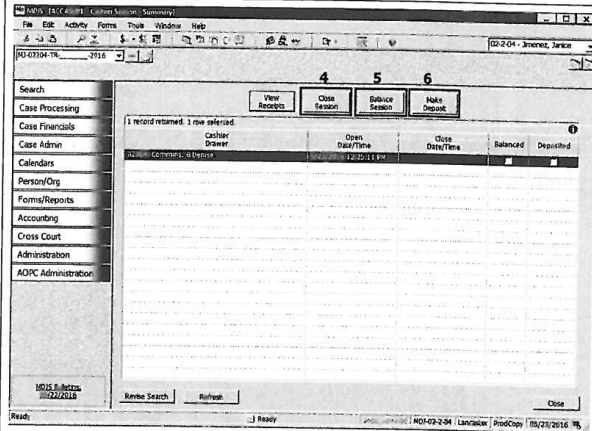
4. Click **CLOSE SESSION.**

NOTE: The 'This will close the selected sessions(s). Do you want to continue?' prompt displays. Click **YES**. The date and time displays in the **Close Date/Time** column.

5. Click **BALANCE SESSION.**

The **Cashier Session - Balance/Adjustment** screen displays. Complete the screen. Click **OK**.

6. Click **MAKE DEPOSIT.** The **Bank Account Deposit - Add** screen displays.

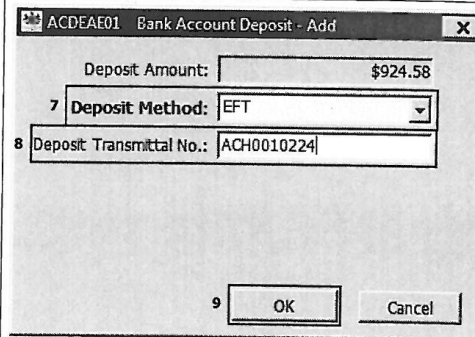


7. Select 'EFT' for the Deposit Method.

8. Enter the appropriate Deposit Transmittal No.

9. Click **OK**. The **Deposit Listing** displays in the **Report Viewer**.

NOTE: Print the Deposit Listing (MDJS 1300) and staple the report from the Sheriff's Office to it. File it for audit records.



ADDENDUM E

Constable Criminal Summary Payment Sheet

Instructions for completing the Lancaster County Constable Criminal Summary Payment Sheet

Effective for Constable Services performed for the Magisterial District Courts on/or after June 1, 2016.

This Summary Payment sheet is a 3 part NCR form that replaces the Lancaster County Voucher Form.

White Copy - Controller Yellow Copy - MDC Pink Copy - Constable

The following sections are completed by the Constable: Please press down and print legibly.

Vendor #. This 10 digit # is on file at the Controller's Office and is printed on the check stub. The leading zeroes of the vendor # do not need to be written in. The Controller's Office can complete if left blank.

Vendor Name: Constable full name or business name, such as working as an LLC

Remittance Address: Address for check to be mailed, (may not necessarily be home address).

Docket #: Docket # as listed on the County of Lancaster Constable Criminal Payment Sheet *

Date: Date service was performed.

Name of Defendant: Full name

Total Fee charged: Each amount in this column must equal the total of the County of Lancaster Constable Criminal Payment Sheet (Canary copy) attached as supporting documentation –

***This backup must be attached matching the total fee for the warrant served to the defendant.**

Total claimed by Constable: This is the grand total of total fees listed on the invoice sheet and must equal the total of all the constable criminal fee bills attached. We prefer that summary sheets total at least \$100.00 before requesting the MDC's approval for payment.

Signature line: Constable's signature and date turned into the MDC for approval.

MDC Approval: The summary sheet must be signed by the MDC submitting to the Controller's Office for payment.

The Controller's Office will continue to issue checks on Thursdays for summary payment sheets received by Mondays at 12:00 noon.