IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY, PENNSYLVANIA

Administrative Order

Number 1 of 2026

In Re: Adams County Constable Manual

ORDER OF COURT

AND NOW, this 5th day of January, 2026, pursuant to the Court's general and administrative supervision authority over the offices of Magisterial District Judge pursuant to Rule 17 of the Rules Governing Standards of Conduct of Magisterial District Judges, and the statutory authority of the President Judge as the executive and administrative head of the court to supervise judicial business within the judicial district, 42 Pa. C.S.A. § 325(e), IT IS HEREBY ORDERED that the Magisterial District Judges and Common Pleas Judges within the 51st Judicial District shall only utilize constables or deputy constables for the performance of judicial business who are in full compliance with the Constable Manual attached hereto as Exhibit A. This Manual may be updated by the Court from time-to-time without need for further Administrative or Supervisory Order.

IT IS FURTHER ORDERED that Magisterial District Judges within the 51st Judicial District shall promptly report to the Adams County Court Administrator any act committed by a constable or deputy constable contrary to the policy, procedure, or terms of the Constable Manual.

IT IS FURTHER ORDERED that no constable or deputy constable shall perform any judicial duties nor receive any fee, surcharge, or mileage for services rendered in the performance of judicial duties unless the constable has performed those duties in compliance with the Constable Manual.

The effective date of this Order is January 5, 2026. Administrative Order 4 of 2017 is hereby vacated.

BY THE COURT,

THOMAS R. CAMPBELL

President Judge

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Attachment: Exhibit A, Constable Manual

Board of Judges/Executive Assistants to the Board of Judges

Magisterial District Courts

Kelly Lawver, Clerk of Courts

Beverly Boyd, Prothonotary

Kelly Carothers, Executive Director, Domestic Relations Section

Warren Bladen, Director, Department of Emergency Services

Department of Probation Services

Sheriff's Department

Adams County Constable Association (adams.county.constables@gmail.com)

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CONSTABLE MANUAL

51st JUDICIAL DISTRICT
ADAMS COUNTY, PENNSYLVANIA

COPY

(January 5, 2026)

TABLE OF CONTENTS

I. General Provisions

II. Powers and Duties

III. Warrant Procedures

IV. Compensation

V. Constable Code of Conduct

Appendix Exhibit A – Acknowledgment

Exhibit B – Receipt of Purge Amount

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I. GENERAL PROVISIONS

A. Definitions - Subject to additional definitions contained in subsequent sections of this manual, the following words and phrases shall have, unless the context indicates otherwise, the meanings given to them in this section.

A.C.A.C.C. - The Adams County Adult Correctional Complex including the Central Processing Center.

A.C.D.E.S. - The Adams County Department of Emergency Services.

C.P.C.M.S. – Common Pleas Case Management System.

Clerk of Courts - The official, and that official's office, in the 51st Judicial District who, pursuant to 42 Pa. C.S.A. § 2756 and 2757, has a responsibility and function to maintain the official criminal case file and list of docket entries, and to perform such other duties as required by rule or law.

Constable - All elected, court appointed, and/or deputy constables duly elected or appointed pursuant to statutory authority. As elected or appointed officials, constables are independent contractors and are not employees of the Commonwealth, the judiciary, or the municipality in which they serve.

Constable's Education and Training Board (C.E.T.B.) - The Constable's Education and Training Board established and created pursuant to 44 Pa. C.S.A. § 7143 vested responsibility for developing basic training and firearms education for constables certified to perform judicial duties.

Controller - The duly elected County Controller for the County of Adams as empowered with the rights, duties, and responsibilities under the County Code, 16 P.S. § 101 et seq.

County - County of Adams.

Court - The Court of Common Pleas for the 51st Judicial District.

Court Administrator - The District Court Administrator for the 51st Judicial District as designated by the Pennsylvania Supreme Court and the Administrative Offices of the Pennsylvania Courts.

Court Official - The Judges of the Court of Common Pleas for the 51st Judicial District, the Magisterial District Judges for the 51st Judicial District,

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the Adams County District Court Administrator, the Department Directors for the Adams County Department of Probation Services and the Adams County Domestic Relations Office, and all employees in the respective offices.

Judicial Duties - Services and duties performed by a constable for the payment of fees as authorized by 44 Pa. C.S.A. § 7161 including all services specified therein regardless of whether a fee is actually sought by the constable or paid by the County.

M.D.J.S. – Magisterial District Judge System.

Magisterial District Judge - Public official having the power and authority of a magisterial district judge whose jurisdiction falls within the 51st Judicial District.

Virtual Warrant System - The data base maintained by A.C.D.E.S. containing an index of all active warrants.

On-call Constable System – A rotation of constables approved to perform judicial service, available to serve warrants as described in this Manual between 2200 hours-0600 hours daily upon request from the proper authority and whose schedule has been approved by the Court.

Prothonotary – The duly elected Prothonotary for the 51st Judicial District as empowered with the rights, duties, and responsibilities under 42 Pa. C.S.A. § 2736 and 2737 who has a responsibility to maintain official court records and to perform such other duties as required by rule or law.

Sheriff – The duly elected Sheriff for the County of Adams as empowered with the rights, duties, and responsibilities under the County Code, 16 P.S. § 101 et seq., including all deputies appointed in compliance with the County Code.

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II. POWERS AND DUTIES

A. Requirements of Constables Performing Judicial Duties in 51st Judicial District - Constables performing judicial duties within the 51st Judicial District must:

1. Be certified by C.E.T.B.

2. Post a bond with the Clerk of Courts Office in a sum of $2,500 with the condition for just and faithful discharge by the constable of the duties of the office. The bond shall be held in trust for the use and benefit of persons who may sustain injury by reason of a constable's neglect of duty. Proof of the filing of a bond must be provided to the Court Administrator's Office.

3. Maintain a policy of professional liability insurance providing coverage for the performance of judicial duties with a minimum coverage of $250,000 per incident and a minimum aggregate of $500,000 per year. Proof of insurance coverage must be provided to the Clerk of Courts Office and the Court Administrator's Office annually or as directed by either office.

4. Maintain a valid and current Pennsylvania driver's license and required financial responsibility (automobile insurance) on any vehicle used for the performance of judicial duties. Proof of licensing and insurance must be provided to the Court Administrator's Office as required by that office. Absence of a driver's license does not preclude a constable who is otherwise approved by the Court to perform judicial duties from working with a constable pursuant to 44 Pa. C.S.A. § 7161(c) provided the unlicensed or uninsured constable does not operate a motor vehicle. However, unless accompanied by another constable who maintains a valid and current Pennsylvania driver's license and required financial responsibility, a constable who does not possess a valid driver's license or required financial responsibility shall not perform judicial duties.

5. Maintain current address information with the Court Administrator's Office. Current contact information shall include constable's current address, telephone number, and cell phone number. Contact information shall also include information as to any other communication equipment utilized by the constable to perform judicial duties (i.e. pager, fax machine).

6. If carrying a firearm in the performance of duties, constable shall provide the Court Administrator's Office with proof of certification or

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qualification to carry or use firearms as provided by 44 Pa. C.S.A. § 7148.

7. Complete and provide the Controller all vendor authorization documents, including the production of a tax identification number as required by local, state, or federal law or policies and procedures of the Controller.

8. Provide the Court Administrator's Office with an executed acknowledgment evidencing the constable has received a copy of the Pennsylvania Unified Judicial System Constable Policies, Procedures, and Standards of Conduct and understands the provisions and terms set forth therein. The acknowledgment shall be in the form attached hereto as "Exhibit A."

9. Provide the Court Administrator's Office with an executed acknowledgment evidencing the constable has received a copy of the Constable Manual for the 51st Judicial District and understands the provisions and terms set forth in the manual governing the performance of judicial duties. The acknowledgment shall be in the form attached hereto as "Exhibit A."

B. Authorization to Perform Judicial Duties - No Magisterial District Judge, nor any other Court Official, shall request or otherwise authorize a constable to perform judicial duties, nor shall the Controller authorize payment of fees for a constable performing judicial duties, unless the constable has been designated by the Court Administrator's Office as a constable authorized to perform judicial duties.

1. The Court Administrator's Office shall maintain a list of all constables who are authorized to perform judicial duties within the 51st Judicial District. The Court Administrator's Office shall publish the list with all Magisterial District Judges in the 51st Judicial District; any other Court office utilizing constable services in the performance of judicial duties; the Controller; A.C.D.E.S.; and the Clerk of Courts Office on a regular basis however the list shall be updated and published at least annually. In the event the privilege of a constable to perform judicial duties is revoked by the Court, the Court Administrator's Office shall promptly notify the identified offices of the same.

2. The Court Administrator's Office shall develop policy and procedure to effectuate and ensure a constable's compliance with the requirements set forth in Section A above.

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C. Removal of Authorization to Perform Judicial Duties - Although a constable may only be removed or disciplined for acts of malfeasance or misfeasance upon petition of the District Attorney or an individual citizen (see 13 P.S. § 31), a constable's authorization to perform judicial duties pursuant to Section B above may be revoked at any time pursuant to the authority of the President Judge.

1. A constable's authority to perform judicial duties shall be revoked in the following circumstances:

    a. a constable permits his/her compliance with requirements of Section A above to lapse;

    b. the constable commits a breach of the duties or requirements of this manual including, but not limited to, the Constable Code of Conduct as set forth in Section V herein;

    c. the constable commits any violation of the law while in the performance of judicial duties or is otherwise convicted of criminal conduct which places the integrity or honesty of the constable at issue;

    d. the constable commits any act which jeopardizes public trust in or brings disrespect to the Court.

    e. a constable suspended by any judicial district in the Commonwealth shall also be suspended in the 51st Judicial District and may be considered for reinstatement after the other judicial district lifts its suspension and presuming there are no other matters in the 51st Judicial District that would maintain suspension.

2. Court Officials who know, or have reason to believe, that a constable has committed a violation of the Code of Conduct or the provisions of the Constable Manual shall promptly inform the Court Administrator's Office of the same.

3. All complaints of constable misconduct, including complaints related to the failure to comply with the Constable Manual, including the Constable Code of Conduct, shall be promptly investigated by the Court Administrator. The results of the investigation shall be provided to the President Judge for further action, if any.

D. Minimum Requirements - Compliance with the provisions of this manual does not guarantee a constable the right to perform judicial duties for a Magisterial District Judge or Court Official. Rather, the provisions of this

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section set forth the minimum requirements which must be complied with before a constable may be utilized by a Magisterial District Judge or Court Official to perform judicial duties. Magisterial District Judges and other Court Officials retain the right to assign constable work within their reasonable discretion provided the utilized constable is otherwise in compliance with this section.

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III. WARRANT PROCEDURES

A. Definitions - The following words and phrases shall have, unless the context indicates otherwise, the meanings given to them in this section.

Domestic Relations Warrant - A warrant issued by the Court of Common Pleas as a result of a party's failure to appear at a Domestic Relations proceeding before that Court. A Domestic Relations warrant shall carry a caption docketed as DR-____-____.

Field Receipt Process – Also referred to as "Sign and Release", a warrant service process established by the President Judge through Administrative or Supervisory Order of Court which permits authorized personnel, including Constables, to direct a subject of a warrant to appear for a bench warrant hearing without the need to take the subject of the warrant into custody, under conditions as outlined in said Order of Court.

Juvenile Warrant – A warrant issued by the Court of Common Pleas as a result of a party's failure to appear at a Delinquency or Dependency proceeding before that Court. A Delinquency warrant shall carry a caption docketed as JV-____-____. A Dependency warrant shall carry a caption docketed as DP-____-____.

Legal Holiday - For purposes of this manual, the following shall be defined as legal holidays: New Year's Day, Martin Luther King, Jr. Day, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve, and Christmas Day. For those holidays identified herein which annually fall on a rotating calendar day, the actual date shall be defined as the day designated as the federal holiday.

Miscellaneous Warrant - A warrant issued by the Adams County Court of Common Pleas related to a party's failure to appear at a Court proceeding, failure to respond to juror summons, for the collection of fees, fines, costs, and restitution. The miscellaneous warrant shall carry a caption docketed as MD-____-____. From time to time, a miscellaneous warrant will include the docket numbers of the original cases in which the defendant was ordered to pay fees, fines, costs, and restitution. The inclusion of the CR number for the underlying convictions in the caption of the warrant shall not affect such warrant's treatment as a miscellaneous warrant.

Misdemeanor/Felony Warrant - A warrant issued by the Adams County Court of Common Pleas following the defendant's non-appearance in a pending criminal action. Misdemeanor/felony warrants shall include any warrant issued for the pre-trial arrest of any individual charged with misdemeanor/felony offenses. Misdemeanor/felony warrants shall also

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include warrants issued by the Adams County Court of Common Pleas to take into custody a probation/intermediate punishment/parole offender and/or any warrant issued as a result of an alleged protection from abuse violation or protection from abuse contempt proceeding.

Original Process - An arrest warrant for a misdemeanor/felony warrant issued pursuant to Pa. R. Crim. P. 513 et al.

Summary Warrant - A warrant issued by a Magisterial District Judge pursuant to Pa. R. Crim. P. 430. The definition includes both arrest warrants and bench warrants issued pursuant to that rule.

B. Domestic Relations Warrants - The following procedures shall apply to the issuance and service of a Domestic Relations warrant. The Domestic Relations Section is the custodian of the record for all Domestic Relations cases, including child support and spousal support matters. These are cases with a "DR" docket number.

1. A Domestic Relations warrant is issued by the Court of Common Pleas. Upon issuance of the same, the Domestic Relations Section shall enter the warrant in the Pennsylvania Automated Child Support Enforcement System (P.A.C.S.E.S.) and file the original of record. The Domestic Relations Section shall forward a certified copy of the warrant to the Sheriff's Department and the A.C.D.E.S. No additional duplicate of the warrant shall be issued except as provided hereinbelow.

2. A.C.D.E.S. may issue a duplicate warrant to any municipal or state police agency, the Adams County Sheriff's Department, or a constable upon request. A constable shall not request a warrant or duplicate warrant unless imminent service of the warrant is anticipated. For purposes of this paragraph, imminent service requires a good faith belief as to the whereabouts of the subject of the warrant and the likelihood that the warrant will be served within the immediately subsequent 12-hour period.

3. When a Domestic Relations warrant is executed, the constable shall either accept the full payment of the purge amount stated on the warrant or, in the event the defendant is unable to pay the purge amount, cause the defendant to be taken without unnecessary delay for commitment to the A.C.A.C.C. When a constable accepts payment of the purge amount, the constable shall issue a receipt to the defendant setting forth the amount of the purge payment and return a copy of the receipt signed by the defendant and the constable as well as the purge amount to the

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Domestic Relations Section. The receipt shall be substantially in the form set forth in "Exhibit B" attached hereto. A constable serving a Domestic Relations warrant shall immediately confirm with A.C.D.E.S. that the warrant has been served and the subject of the warrant has either been committed to the A.C.A.C.C. or released because the purge payment was made. The constable shall provide any additional notice which may be required from time to time by A.C.D.E.S.

4. In addition to notifying A.C.D.E.S. of service of the warrant, a constable serving a Domestic Relations warrant shall notify the Sheriff's Department that the warrant has been served and the subject of the warrant has been committed to the A.C.A.C.C. or released following purge payment. The constable shall promptly complete a Sheriff's Department information form for each Domestic Relations warrant served and shall timely fax or email the form and other relevant documentation to the Sheriff's Department. Upon receipt of information pursuant to this paragraph that the constable has served a warrant, the Sheriff's Department shall return the certified copy of the warrant to the Domestic Relations Section evidencing service of the warrant. The Sheriff's Office will ensure that the warrant has been removed from any active warrant list.

5. In addition to notifying A.C.D.E.S. of service of the warrant, a constable serving a Domestic Relations warrant shall notify the Domestic Relations Section that the warrant has been served and the subject of the warrant has been committed to the A.C.A.C.C. or released by either paying the purge. The constable shall immediately fax or email all service documents, including any payment receipt, to the Domestic Relations Section (by fax at 717-334-3440 or by email at CS-adamsmailbox@pacses.com). If the constable receives the payment of the purge amount in the warrant, the constable shall bring the purge amount to the Domestic Relations Section during normal business hours on the same day or on the next business day if the warrant is served during non-business hours.

6. A constable shall not serve a Domestic Relations warrant at a residence between 10:00 p.m. and 6:00 a.m. or after 10:00 p.m. on the day preceding a legal holiday through 6:00 a.m. on the day following a legal holiday.

C. Misdemeanor/Felony Warrants - The following procedures shall apply to the issuance and service of misdemeanor/felony warrants.

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1. When a misdemeanor/felony warrant is issued by the Court of Common Pleas, upon filing of the same with the Clerk of Courts Office, the warrant shall be entered into C.P.C.M.S. by the Clerk of Courts Office and a copy shall be provided to the Sheriff's Department and A.C.D.E.S. per current practice. A.C.D.E.S. may only issue a duplicate of the warrant at the request of a law enforcement officer or constable where imminent service of the warrant is anticipated. For purposes of this paragraph, imminent service requires a good faith belief as to the whereabouts of the subject of the warrant and the likelihood that the warrant will be served within the immediately subsequent 12-hour period.
2. When a misdemeanor/felony arrest warrant is issued by the Magisterial District Court, the warrant shall be entered into M.D.J.S. by the Magisterial District Court and a copy shall be provided to the Sheriff's Department and A.C.D.E.S. per current practice. A.C.D.E.S. may only issue a duplicate of the warrant at the request of a law enforcement officer or constable where imminent service of the warrant is anticipated. For purposes of this paragraph, imminent service requires a good faith belief as to the whereabouts of the subject of the warrant and the likelihood that the warrant will be served within the immediately subsequent 12-hour period.
3. Upon execution of a misdemeanor/felony warrant issued pursuant to paragraph III (C) (1) above, the constable shall immediately advise A.C.D.E.S. of service/execution of the warrant pursuant to procedure adopted by A.C.D.E.S. In addition, the constable shall notify the Adams County Sheriff's Department by telephone, at a number designated by the Sheriff's Department, that the warrant has been served and the subject of the warrant has been committed to the A.C.A.C.C. The constable shall speak to a deputy or leave a message on the answering machine at the earliest possible occasion following service of the warrant but no later than 8:00 a.m. on the first business day following service of the warrant if the warrant is served after business hours. In addition, the constable shall complete a Sheriff's Department information form and deliver the form to the Sheriff's Department. The Sheriff's Department thereafter shall complete the certified copy of the warrant with the information regarding service and file it with the Clerk of Courts Office.

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4. Upon execution of a misdemeanor/felony warrant issued pursuant to paragraph III (C) (2) above, the constable shall immediately advise A.C.D.E.S. of service/execution of the warrant pursuant to procedure adopted by A.C.D.E.S. In addition, the constable shall notify the Adams County Sheriff's Department by telephone, at a number designated by the Sheriff's Department, that the warrant has been served and the subject of the warrant has been committed to the A.C.A.C.C. The constable shall speak to a deputy or leave a message on the answering machine at the earliest possible occasion following service of the warrant but no later than 8:00 a.m. on the first business day following service of the warrant if the warrant is served after business hours. In addition, the constable shall complete a Sheriff's Department information form and deliver the form to the Sheriff's Department. The Sheriff's Department thereafter shall complete the certified copy of the warrant with the information regarding service and file it with the issuing Magisterial District Court. In addition, the constable shall notify the Magisterial District Court of the service of said warrant at the earliest possible occasion following service of the warrant but no later than 8:00 a.m. on the first business day following service of the warrant if the warrant is served after business hours.
5. A constable shall not serve a misdemeanor/felony warrant at a residence between 10:00 p.m. and 6:00 a.m. or after 10:00 p.m. on the day preceding a legal holiday through 6:00 a.m. on the day following a legal holiday unless the subject of the warrant is in the custody of a state or municipal police officer.
6. A misdemeanor/felony warrant shall not be eligible for the field receipt process.

D. Miscellaneous Warrants - The following procedures shall apply to the issuance and service of miscellaneous warrants.

1. When a miscellaneous warrant is issued by the Court of Common Pleas, upon filing of the same with the Clerk of Courts Office, the warrant shall be entered into C.P.C.M.S. by the Clerk of Courts Office and a certified copy shall be provided to the Sheriff's Department. A.C.D.E.S. may only issue a duplicate of the warrant at the request of a law enforcement officer or constable where imminent service of the warrant is anticipated. For purposes of this paragraph, imminent service requires a good faith belief as to the whereabouts of the subject of the warrant and the likelihood that

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the warrant will be served within the immediately subsequent 12-hour period.

2. Upon service of the warrant, the constable or other law enforcement officer serving the warrant shall immediately advise A.C.D.E.S. that the warrant has been served so the warrant may be removed from the respective system. In addition, the constable shall notify the Sheriff's Department by promptly completing a Sheriff's Department information form for each miscellaneous warrant served and shall timely fax or email the form and other relevant documentation to the Sheriff's Department.

3. When a miscellaneous warrant is executed, the constable shall either accept full payment of the purge amount stated on the warrant or in the event the defendant is unable to pay the full purge amount, cause the defendant to be taken without unnecessary delay for commitment to the A.C.A.C.C. unless the conditions for Field Receipt Process apply. When a constable accepts payment of the purge amount, the constable shall issue a receipt to the defendant setting forth the amount of the purge payment and return a copy of the receipt signed by the defendant and the constable, as well as the purge payment amount, to the Clerk of Courts Office immediately following service of the warrant if the warrant is served during business hours or, if the warrant is served during non-business hours, by the close of business on the first business day following issuance of the warrant. Thereafter, the Clerk of Courts Office shall confirm that the bench warrant upon which the purge amount has been paid has been removed by A.C.D.E.S. from the respective system. Nothing in this paragraph shall prohibit a constable from accepting payment greater than the purge amount provided the same is evidenced in the written receipt and surrendered to the Clerk of Courts Office by the constable with payment on the defendant's account.

4. When executing a miscellaneous warrant for failure to appear for **jury duty**, a constable shall only serve this warrant type using the Field Receipt Process unless the Judge issuing the warrant provides other specific instructions on the warrant. The Constable shall thereafter complete notification of warrant service to A.C.D.E.S. and the Sheriff's Department as described under III(D)(2) of this Manual.

5. Upon notification that the warrant has been served, the Sheriff's Department thereafter shall complete the certified copy of the warrant with the information regarding service and file it with the Clerk of Courts Office.

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6. A constable shall not serve a miscellaneous warrant at a residence between 10:00 p.m. and 6:00 a.m. or after 10:00 p.m. on the day preceding a legal holiday through 6:00 a.m. on the day following a legal holiday.

7. A warrant issued by the Court containing a miscellaneous docket or which otherwise is for the payment of outstanding fees, fines, and costs shall not be considered a felony/misdemeanor warrant for purposes of 44 Pa. C.S.A. § 7161(c) regardless of whether the warrant contains the caption or docket number of a criminal case for which a conviction has previously been obtained.

8. For all Miscellaneous Warrants subject to the Field Receipt Process, the Court's expectation is that the subject of the warrant is to be directed to report on the next available Criminal/Bench Warrant day. However, a Constable may set the report date to no more than two weeks beyond the date of contact with the defendant if the Constable determines there are unusual circumstances for which the subject of the warrant cannot report on the next available Criminal/Bench Warrant day.

E. Summary Warrants - The following procedures shall apply to the issuance and service of summary warrants.

1. A Magisterial District Judge possesses the exclusive right, subject to the authority of the President Judge, to distribute warrants issued by them to a constable of their choice provided a constable is otherwise authorized by the Court Administrator's Office to perform judicial duties. Magisterial District Judges shall issue warrants where appropriate pursuant to the Pennsylvania Rules of Criminal Procedure and prevailing law.

2. Upon issuance of a warrant, the Magisterial District Judge may assign the warrant to a constable authorized to perform judicial duties by the Court Administrator's Office. A copy of the warrant shall be immediately provided to A.C.D.E.S. and shall contain a designation as to the date of issuance and the constable to whom it was assigned. In the event a Magisterial District Judge elects not to assign a specific constable to serve the warrant, a copy of the warrant shall be provided to A.C.D.E.S. and available to any constable authorized to perform judicial duties. Unless the warrant is unassigned or governed by paragraph III (E)(4) below, no authorized person other than the assigned constable shall serve a warrant within 30 days of the initial issuance of the warrant by the Magisterial District Court except as follows:

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a. The subject of the warrant is in the custody of the Sheriff's Department as a result of contact between the subject and the Sheriff's Department unrelated to the warrant in which case a duplicate warrant may be issued to the Sheriff's Department. In the event the Sheriff's Department serves such a warrant, the Magisterial District Judge, upon notice of the same, shall promptly alert the assigned constable that the warrant has been served; or

b. The subject of the warrant is present in the Adams County Courthouse and, as a result of the routine examination by the Sheriff's Department of any person appearing before the Court of Common Pleas, or the Sheriff's Department otherwise being informed that an individual is present within the Courthouse, a duplicate warrant may be issued to the Sheriff's Department. In the event the Sheriff's Department serves such a warrant, the Magisterial District Judge, upon notice of the same, shall promptly alert the assigned constable that the warrant has been served; or

c. The subject of the warrant is in the custody of a constable who has exercised custody pursuant to another warrant issued and served in compliance with this manual in which case a duplicate warrant may be issued to the constable who has custody of the subject; or

d. The subject of the warrant is in the custody of a municipal or state police agency for any reason and the municipal or state police agency requests the assistance of a constable in service and execution of the warrant. In such instance, the municipal or state police agency shall have the option of:

   i. requesting A.C.D.E.S. to contact a constable of the officer's choosing to effectuate service of the warrant. If the constable of the officer's choosing is not available, A.C.D.E.S. shall follow the procedure under paragraph d.ii. below;
   ii. contacting A.C.D.E.S. to request assistance in the service of the warrant. If the warrant is assigned by the Magisterial District Judge to a specific constable, A.C.D.E.S. shall attempt to contact that constable for service of the warrant. In the event the designated constable is either unavailable or unable to effectuate service of the warrant, A.C.D.E.S. shall assign the warrant to an available constable closest to the scene

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who is otherwise approved to perform judicial duties. A.C.D.E.S. shall develop protocol to provide for a neutral assignment of constables pursuant to the intent of this paragraph. If the request for service is between 2200-0600 hours, A.C.D.E.S. shall contact the available on-call constable through the On-Call Constable System to effectuate the warrant regardless if the warrant is assigned to a specific constable.

In all scenarios, the constable shall return the certified copy of the warrant to the District Court evidencing service of the warrant. The District Court shall immediately notify A.C.D.E.S. to take the active warrant off the Virtual Warrant System.

3. During operating hours of the District Court, if a Constable, Sheriff, Municipal or State Police Officer has reasonable belief they can serve a summary warrant that the requestor is authorized to serve within 12 hours, that person shall contact the issuing District Court instead of A.C.D.E.S. to obtain a copy of the warrant. The exception to this would be if the requestor has an expedited need to obtain the warrant and, after making reasonable attempts to contact the District Court but unable to get through on the phone, or if the District Court is unable to immediately complete the request due to work flow issues occurring in the District Court at that time, the requestor may contact A.C.D.E.S. to obtain a copy of the warrant.

4. All assigned, unserved summary warrants shall be available for service by any constable authorized to perform judicial duties after the 30th day following issuance of the warrant. In all cases, it will be the responsibility of the constable serving the warrant to review the duplicate of the requested warrant and determine if the warrant is available to be served by that constable. If a constable reviews a warrant and determines the warrant is less than 30 days old and still assigned to another constable, the constable shall immediately return the duplicate of the warrant to A.C.D.E.S., unless an exception under paragraph III(E)(2) applies. A constable or other law enforcement agency shall not request a duplicate warrant unless imminent service of the warrant is anticipated. For purposes of this paragraph, imminent service requires a good faith belief as to the whereabouts of the subject of the warrant and the likelihood that the warrant will be served within the immediately subsequent 12-hour period.

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5. When a warrant is issued pursuant to Pa. R. Crim. P. 430, in service of the warrant, the constable shall either:

   a. Accept a signed guilty plea in the full amount of the fines and costs as stated on the warrant;

   b. Accept from the defendant a signed not guilty plea in the full amount of the collateral stated on the warrant; or

   c. If the defendant is unable to pay the full amount of the fines and costs or collateral, cause the defendant to be taken without unnecessary delay before the issuing authority during normal court hours and before the duty Magisterial District Judge or booking center pursuant to local practice during non-court hours unless the conditions for Field Receipt Process apply.

6. When a constable accepts fines and costs or collateral, the constable shall issue a receipt to the defendant setting forth the amount of the fines and costs or collateral received and promptly return a copy of the receipt, signed by the defendant and constable, to the proper issuing authority. Constables must return the warrant and any pleas, fines, costs, and/or restitution collected to the issuing authority no later than the close of business during the same business day or if served after normal court hours on the next business day. Constables should make every effort to resolve service of the warrant as per Pa. R. Crim. P. 430 before physically transporting the defendant to the proper issuing authority or for commitment to A.C.A.C.C.

7. A constable shall immediately notify A.C.D.E.S. following service of a summary warrant pursuant to policy directed by A.C.D.E.S. A constable shall not receive the payment of fees for any judicial duty related to the service of a summary warrant unless A.C.D.E.S. has been immediately notified of the service of a summary warrant pursuant to A.C.D.E.S. policy.

8. A constable shall not serve a summary warrant issued pursuant to Pa. R. Crim. P. 430 at a residence between 10:00 p.m. and 6:00 a.m. or after 10:00 p.m. on the day preceding 6:00 a.m. through the day following the legal holiday.

6. A constable shall not attempt to serve a summary warrant or take the subject of such a warrant into custody unless in possession of a valid warrant or duplicate thereof.

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F. Juvenile Warrants

Unless expressly approved in advance by a Court of Common Pleas Judge, constables shall not serve any juvenile warrants issued as a result of dependency or delinquency unless the subject of the warrant is not the juvenile captioned in the case and the subject of the warrant is 18 years old or older. These cases are typically docketed under a “JV” (juvenile delinquency) or “DP” (juvenile dependency) number.

G. Return of Unserved Warrants

1. A constable who has been issued a duplicate of a warrant pursuant to this chapter shall destroy the duplicate of the warrant no later than 12 hours after the constable’s receipt of the duplicate in the event the constable is unable to effectuate service within that time period. Failure to destroy the copy/duplicate of a warrant within the time period set forth herein may, at the discretion of the President Judge, result in a revocation/restriction of one’s right to perform judicial duties.

2. A constable destroying the duplicate shall maintain a destruction log, available for inspection upon request by the President Judge or Court Administrator.

3. A constable shall not, under any circumstance, make a duplicate or copy of any warrant for purposes of service of the duplicate or copy.

H. Warrant Service on Incarcerated Parties

1. Unless expressly approved in advance by the Issuing Authority, President Judge or Court Administrator, warrant service on parties already incarcerated or otherwise in the custody of prison officials is not authorized and will not be compensated. In addition, if a defendant is being processed by a Booking Center on other matters, otherwise eligible warrant service is excluded from the Field Receipt Process until such time that the defendant is released from a Booking Center and is not otherwise incarcerated.

2. The Court may authorize payment in Summary Warrant matters in the event, through the efforts of a constable seeking a defendant, the constable learns that a defendant is incarcerated in a County jail outside of Adams County but within the Commonwealth, and relays that information to the issuing authority.

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a. The Magisterial District Judge must indicate that he/she was unaware that the defendant was incarcerated in a County jail outside of Adams County but within the Commonwealth when the warrant was issued.

I. On-call Constable System

1. An On-call Constable System is established, which shall be in operation daily from the hours of 2200 until 0600 the next day for constable warrant service as described and permitted within this Manual.

2. The Adams County Constable Association shall submit a schedule of constables who will be utilized as the on-call constable to A.C.D.E.S. on a quarterly basis at least one month in advance of the start of the quarter. This schedule will outline which constable should be contacted between the hours of 2200-0600 for warrant service should the municipal or state police agency not exercise the option to request a specific constable or the officer's requested constable is unavailable. Any constable who is authorized to provide judicial service and wishes to be utilized as an on-call constable shall contact the Adams County Constable Association to be placed on the schedule. It shall be the responsibility of the Adams County Constable Association to ensure the schedule is constructed in a manner fair to those wishing to be utilized as an on-call constable.

3. The On-Call Constable System provides an easy-to-follow system for A.C.D.E.S., whereby the name of the constable to call is known in advance and eliminates the need for a dispatcher to determine if another constable needs to be contacted to serve a warrant.

4. It is the expectation of the Court that the on-call constable shall be available to respond to any and all calls during the hours of 2200-0600 during the time period scheduled and to return calls from A.C.D.E.S. within 10 minutes. If an on-call constable has a conflict during the period of time scheduled, it shall be the responsibility of the on-call constable to ensure that coverage is available and to communicate any coverage changes with A.C.D.E.S. Failure of the constable to be available when on-call or, in the alternative, to ensure proper coverage may result in suspension of privileges for responsible constables or the elimination of the On-call Constable System. A.C.D.E.S. shall notify the Court Administrator of any periods of non-coverage or inability of the on-call constable to fulfill the intent of this subsection.

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5. The On-Call Constable System is a responsive system based upon a request from a municipal or state police agency requesting the assistance of a constable in service and execution of the warrant during the hours noted only and is not intended to allow for a constable, who may be called out during this time period, to perform other judicial service during time periods already excluded in this Manual.

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IV. COMPENSATION

A. **Preliminary Provisions** - Constables shall be paid fees in compliance with a fee schedule set forth in 44 Pa. C.S.A. § 7161 or subsequent legislative act or rule of court. Constables shall not be paid a fee for any judicial act committed in violation of the provisions of this manual. Fees shall not be paid unless the request for fees is made in compliance with the procedures set forth in this chapter.

B. **Reimbursement Procedure** - Constables shall comply with the procedures of this section in seeking reimbursement for services. A request for reimbursement of services not in compliance with the procedures of this section may be denied on that basis.

1. Court Warrants/Process/Transportation Orders - Payment for the performance of judicial duties related to a Domestic Relations warrant, a bench warrant issued by the Court of Common Pleas for failure to appear in a criminal prosecution (CR docketed case), for failure to appear for a contempt proceeding (MD docketed case) and for transportation to a Court proceeding shall be submitted directly to the Court Administrator's Office on the form prescribed, from time to time, by the Court Administrator's Office. The Court Administrator, or designee, shall execute the fee request when appropriate and forward the same to the Controller for payment.

2. Magisterial District Judge Warrants/Process/Transportation Orders:
   - Payment for the performance of judicial duties related to the issuance of a warrant, other process or transportation order by a Magisterial District Judge shall be submitted to the Magisterial District Judge who authorized the service on the form prescribed by the Court Administrator's Office or the Administrative Office of the Pennsylvania Courts.
   - Payment for the performance of judicial duties related to the issuance of a warrant, other process or transportation order by the Court of Common Pleas shall be submitted directly to the Court Administrator's Office on the form previously described above.

3. All reimbursement forms shall be completed in their entirety. A form which is incomplete will be returned to the constable within seven business days of the form's receipt by the Magisterial District Judge or Court Administrator's Office and shall be considered as not having been filed for purposes of the time period set forth in Section IV (C) of this manual.

C. **Time of Invoice** - Request for payment of all fees shall be made to the Court Administrator's Office or Magisterial District Judge, as appropriate,

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in the manner directed by this chapter within 30 days of the date of the performed service. Although the County's liability for the payment of fees submitted after 30 days of the date of service shall be controlled by prevailing law, failure to submit requests for payment of fees within the time period set forth herein shall result in the revocation of a constable's privilege to perform judicial duties.

D. **Mileage** - The following rules shall apply to reimbursement for actual mileage:

1. Actual mileage for travel by motor vehicle shall be reimbursed at a rate equal to the highest rate allowed by the Internal Revenue Service.

2. No constable shall undertake travel in the performance of judicial duties by any mode other than motor vehicle unless prior written consent for the same is authorized by the Court Administrator.

3. In effectuating the service of process and/or warrant, actual mileage for travel by motor vehicle for purposes of the payment of fees shall be the number of miles from the issuing authority's office to the location where process and/or where the warrant is served plus the number of miles to the location of commitment, if necessary, plus the number of miles from the commitment location, or the acceptance of money in lieu of commitment to the issuing authority's office.

4. In effectuating a transportation order, actual mileage for travel by motor vehicle for purposes of the payment of fees shall be the number of miles from the issuing authority's office to the location of the party and back to the issuing authority's office. If the party is to be transported back to a location, actual mileage shall also include mileage for the return trip to that location and back to the issuing authority's office.

5. If, when preparing to transport or during a transport, it becomes necessary to obtain emergency medical attention for the person subject to a warrant, process or transportation order, the constable may seek emergency medical treatment and may count this time towards the time of transportation per the fee schedule set forth in 44 Pa. C.S.A. § 7161, plus any additional mileage to an emergency facility.

6. In the instance that a constable identified as the on-call constable as described in III(I) of this Manual has been contacted by the A.C.D.E.S. to respond on-site for warrant service, said constable

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may charge mileage from their residence, to the site of warrant service, to the jail (if applicable) and back to their residence. In this instance, the constable must indicate on the submitted fee sheet that the constable was the on-call constable responding to a call-out. This mileage compensation exception only applies to the constable identified as on-call responding to a call-out from A.C.D.E.S. and does not cover constables who are being contacted directly after-hours by police departments to respond to warrant service outside of the on-call constable system.

E. **Hours Worked** - All work that calculates reimbursement by the hour shall be rounded to the nearest quarter-hour.

F. **Second Constable** – When a second constable is utilized in the service of a warrant, the second constable shall also examine the warrant to ensure that service of the warrant is in compliance with the provisions of this Manual. The second constable shall follow all requirements as described in the Manual and will be held to the same standards as the constable who obtained the warrant for service.

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V. CONSTABLE CODE OF CONDUCT

A. Introduction - A fair and independent court system is essential to the administration of justice. Although constables are not employees of the Commonwealth, the judiciary or any municipal agency, as an independent contractor, they provide services and aid to the judicial process. Proper conduct by those involved in assisting the judicial process inspires public confidence and trust in the Courts and conveys the values of impartiality and fairness that promote the integrity of our system of justice. A constable's conduct reflects upon the Court's commitment to serving the public. A constable performing judicial duties shall observe high standards of conduct so that the integrity and independence of the judicial system are preserved. The provisions of this code shall be applied to further those objectives. All constables performing judicial duties shall observe the standards of conduct set forth in this chapter. These standards however shall not limit or preclude, nor be interpreted to limit or preclude, other more stringent standards as established by law or by Court order or rule.

B. Performance of Judicial Duties - Constables performing judicial duties shall conduct themselves in an appropriate and lawful manner at all times and shall adhere to the following standards. Constables performing judicial duties:

1. Shall not engage in any form of discrimination, harassment, or retaliation against any person as prohibited by law or Court policy;

2. Shall not engage in any form of violence, threat of violence, or disruptive conduct;

3. Shall not make intentionally false or misleading statements when performing judicial duties. Specifically, a constable may not make a false statement of material fact or law or fail to correct a false statement of material fact or law to any party for purposes of obtaining compliance or forfeiture by a person of their legal rights;

4. Shall not falsify, or improperly alter or destroy work-related documents or records;

5. Shall not be impaired by alcohol, drugs, medications, or other intoxicating substances while performing judicial duties;

6. Shall not give legal advice while performing judicial duties beyond an explanation of the duty they are performing and one's right to be represented by counsel;

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7. Shall not illegally possess weapons or controlled substances while performing judicial duties;

8. Shall avoid impropriety or the appearance of impropriety in the performance of all judicial duties;

9. Shall not commit any violation of the law while performing their judicial duties;

10. Shall not be convicted of any crime which shall place their integrity, honesty, or credibility at issue or otherwise negatively reflect upon the integrity and independence of the Court or Court offices;

11. Shall not make any sexual advance, request for sexual favors, or perform other verbal or physical conduct of a sexual nature while in the performance of judicial duties. Such conduct shall include but is not limited to touching, fondling, patting, pinching, kissing, or other physical contact for sexual gratification;

12. Shall treat all those with whom they interact, including Court staff, with professionalism, dignity, respect, and impartiality;

13. Shall cooperate with all law enforcement agencies and their representatives including the Sheriff's Department, the A.C.A.C.C., and Adams County staff;

14. Shall not use any means that has no substantial purpose other than to embarrass, delay, or burden the rights of another person or use methods that violate the legal rights of such person;

15. Shall not in any manner hold himself/herself out to be an agent, employee, or representative of any Court office; and

16. Shall not utilize a motor vehicle in the performance of judicial duties contrary to the provisions of the Pennsylvania Motor Vehicle Code.

C. Confidentiality - Constables shall not disclose or use confidential information obtained through the performance of judicial duties for any purpose not connected with the performance of their judicial duties.

D. Conflicts of Interest -

1. Constables shall not solicit, accept, or agree to accept anything of value from any person or entity doing or seeking to do business with, or having an interest in a matter related to the performance of judicial duties.

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2. Constables shall not permit family, social, or other relationships to influence their official conduct or judgment, or to create the appearance of influence in the exercise of their official conduct or judgment, while in the performance of judicial duties. Constables performing judicial duties shall inform the Court Administrator of any situation creating undue influence or the appearance of undue influence.

3. Constables shall not use the resources, employees, property, facilities, time, or any funds under their control to improperly benefit themselves or any other person.

E. **Use of Force** - A constable's use of force shall be consistent with Pennsylvania law and in compliance with training and education provided by the Constables' Education and Training Board (C.E.T.B.). A constable shall never employ unnecessary force or violence and shall use only such force in the discharge of duty as is reasonable under the circumstances. While the use of force is occasionally unavoidable, every constable in the performance of judicial duties shall refrain from applying any unnecessary affliction of pain or suffering and shall never engage in cruel, degrading, or inhuman treatment of any person. A constable shall not fire, unholster, or otherwise remove a firearm from its holster in the performance of judicial duties unless the same is necessary for the defense of the constable or others in response to the threat or use of deadly force against the constable or another where the action is consistent with firearms training provided by P.C.C.D. or other safety training obtained by the constable*. In no event shall a firearm be unholstered for purposes of intimidation.

(*Note: Statements in this section provided by the Court as relating to use of force and constable training are not to be construed as the Court supporting or recognizing training methodologies beyond what is minimally required by statute, or providing justification for the use of force for any constable, and that a constable using force must be prepared, if necessary, to provide his or her own justification and explanation, possibly in a judicial proceeding based on a legal challenge, when deciding to employ force.)

F. Appearance -

1. Dress - All constables shall dress in customary law enforcement uniform or casual business dress while performing judicial duties. Denim jeans are considered neither customary law enforcement uniform nor casual business dress and are prohibited.

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2. Sign of Authority - While in the performance of judicial duties, all constables shall prominently display a badge of authority on their outermost clothing. The badge of authority shall consist of either a Pennsylvania state constable patch or a badge pinned to the outermost garment, displayed around the neck, or attached to a belt. Additionally, while performing judicial duties, a constable shall carry at all times a constable certification card issued by C.E.T.B. indicating certification number and expiration date.

G. **Duty to Report** - Constables who are arrested, charged with, or convicted of a crime including summary offenses, which occurred while the constable was acting in the course of performing judicial duties, shall report this fact to the Court Administrator at the earliest opportunity however no later than three (3) business days from the date of arrest or receipt of charges. Constables who are arrested, charged with, or convicted of a crime other than summary traffic offenses not committed while in the performance of judicial duties, regardless of the jurisdiction in which the conduct occurred, shall report this fact to the Court Administrator at the earliest reasonable opportunity however no later than three (3) business days from the date of the arrest or receipt of charges.

H. **Review of Warrant –** Each warrant is unique and may contain specific instructions to the person authorized to serve it. Therefore, it is essential that a constable serving a warrant pursuant to this Manual thoroughly review the warrant to be served before taking any action towards its service. If Court Administration, either directly or based upon report from the Magisterial District Court, investigates and determines that a constable has serviced a warrant prior to having possession of the warrant (physical or digital version), said constable may be subject to suspension of authorization to perform Judicial duties.

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ACKNOWLEDGMENT

I, _____, have received a copy of the Pennsylvania Unified Judicial System Constable Policies, Procedures, and Standards of Conduct. I also acknowledge receipt of a copy of the Fifty-First Judicial District Constable Manual. I understand that in order to perform judicial duties, or to be paid for work performed for the Fifty-First Judicial District, I must abide by the procedures and requirements set forth in the Pennsylvania Unified Judicial System Constable Policies, Procedures, and Standards of Conduct and the Fifty-First Judicial District Constable Manual, including the Code of Conduct, and hereby agree to abide by those procedures and requirements.

_____ _____
Print Name Date

_____
Signature

_____
Witness

Exhibit A

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RECEIPT OF PURGE AMOUNT

Defendant: _____

Warrant caption: _____

Date: _____ Time: _____

This document evidences payment of $_____

by _____ (Defendant)

to _____ (Constable)

on the date set forth hereinabove.

The amount set forth on this document is the total amount of money paid by the Defendant to the Constable in regard to the warrant captioned above.

_____
Defendant

_____
Constable

Exhibit B

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