

**INCORPORATION OF ALL PRELIMINARY HEARINGS IN DUI CASES  
INTO THE 3RD JUDICIAL DISTRICT'S CENTRAL COURT**

1. In all criminal cases originating in the Magisterial District Courts of the Third Judicial District where a violation of 75 Pa.C.S.A. § 3802 (DUI) is charged, preliminary hearings shall be held in the Northampton County Central Court, Courtroom 4, 669 Washington Street, Easton, Pennsylvania 18042. The courtroom where such preliminary hearings are conducted shall be known as "DUI Central Court."

2. The operations of DUI Central Court shall be administered by the Court Administrator of the Northampton County Court of Common Pleas and employees in the Office of Court Administration ("DUI Central Court Staff"). The Court Administrator and DUI Central Court Staff shall be responsible for all administrative functions of DUI Central Court, including, but not limited to, creating the rotation schedule for Magisterial District Judges ("MDJ"), assigning and supervising courtroom personnel and support staff, creating the calendar for scheduling of all DUI preliminary hearings, processing requests for continuances, providing court files to the designated MDJ sitting in Central Court, setting protocols governing security and public health issues, and coordinating with Magisterial District Courts, the Northampton County Sheriff's Department, the Criminal Division of the Northampton County Court of Common Pleas, the District Attorney's Office, the Public Defender's office, police departments, private counsel, litigants, and

witnesses. DUI Central Court may be contacted by calling 610-829-6919 or by sending an email to [centralcourt@norcopa.gov](mailto:centralcourt@norcopa.gov).

3. On each day that DUI Central Court is in session, one MDJ shall be temporarily reassigned from his or her own Magisterial District Court to DUI Central Court and shall preside over all proceedings conducted in DUI Central Court that day. MDJs shall be assigned to DUI Central Court on a rotating basis, with the duty of serving in DUI Central Court apportioned equally among all Magisterial District Judges. The rotation schedule shall be created by the Court Administrator. If an MDJ will be unable to assume his or her assignment for a particular date, the assigned MDJ shall be responsible for securing another MDJ to assume the assignment for that date and shall notify DUI Central Court Staff of the change as soon as is reasonably practicable.

4. In addition to the assigned MDJ, the following departments shall provide at least one (1) representative on each scheduled DUI Central Court date:

- (a) District Attorney's Office;
- (b) Public Defender's Office;
- (c) Adult Probation; and
- (d) Northampton County Pretrial Services

5. The Office of Court Administration shall devise and promulgate to all MDJs a schedule of DUI Central Court days. DUI Central Court will be

scheduled in hourly time slots beginning at **9:00 a.m.** The number of cases scheduled for each block shall be determined by the Administrative Judge of Criminal Division in consultation with the Court Administrator and District Attorney.

6. Preliminary hearings for DUI cases shall be scheduled by the originating Magisterial District Court through the Magisterial District Judge System ("MDJS"), as follows:

(a) at the conclusion of a preliminary arraignment, the MDJ shall issue a written notice (1) identifying the date, time, and place of the DUI preliminary hearing in accordance with the requirements of this order and Pennsylvania Rule of Criminal Procedure 540; (2) indicating whether the defendant will require a foreign-language interpreter for the preliminary hearing and, if so, the language for which the interpreter will be needed; (3) stating that, if the preliminary hearing is scheduled to take place at DUI Central Court, the location of the hearing will not change regardless of whether the defendant remains incarcerated at the time of the preliminary hearing or is released from incarceration prior to the date of the preliminary hearing; and (4) providing that if an incarcerated defendant is released from incarceration prior to the date of the preliminary hearing, the defendant shall notify DUI Central Court within twenty-four hours of his or her release by calling 610-829-6919 or by sending an email to [centralcourt@norcopa.gov](mailto:centralcourt@norcopa.gov);  
or

(b) upon the issuance of a writ of summons, the MDJ shall issue written notice: (1) identifying the date, time, and place of the DUI preliminary hearing in accordance with the requirements of this Order; (2) indicating whether the defendant will require a foreign-language interpreter for the preliminary hearing and, if so, the language for which the interpreter will be needed; and (3) containing all other necessary information required by Pa.R.Crim.P. 510.

7. The preliminary hearing for any defendant charged with a DUI who remains incarcerated shall proceed in accordance with Northampton County Administrative Order 2021-19. If an incarcerated defendant charged with DUI is released prior to their scheduled non-DUI Central Court date, his/her preliminary hearing will be continued to the next available DUI Central Court date and the procedures stated herein shall be applicable.

8. Defendants may waive their preliminary hearing at DUI Central Court before the presiding MDJ. Defendants represented by counsel of record may waive their preliminary hearing prior to a defendant's DUI Central Court date at the originating MDJ. Cases where a written waiver is received shall proceed in accordance with the applicable Pennsylvania Rules of Criminal Procedure and Court Administration Procedure.

9. Cases where a defendant elects to proceed with a preliminary hearing shall be returned to the issuing authority within the magisterial district in which the offense allegedly occurred; who shall then comply with

the provisions of the Pennsylvania Rules of Criminal Procedure pertaining to preliminary hearings. Additionally,

(a) the originating MDJ's office shall notify all parties, affiants, and other witnesses of the rescheduled preliminary hearing date. Witnesses may be subpoenaed upon the Commonwealth's request.

(b) cases where the defendant or counsel of record are unavailable for the initial DUI Central Court listing may be rescheduled by Court Administration to the next available DUI Central Court date.

(c) cases where a defendant, or counsel of record, requests a continuance at the time of the preliminary hearing shall be removed from DUI Central Court and returned to the issuing authority within the magisterial district in which the offense allegedly occurred; who shall then comply with the provisions of the Pennsylvania Rules of Criminal Procedure pertaining to preliminary hearings.

(d) nothing shall prevent a defendant from applying for admission into the ARD or ASP programs subsequent to the initial DUI Central Court date at the originating MDJ's office or at Formal Arraignment.

10. The preliminary hearing of a defendant who fails to appear for their scheduled DUI Central Court date shall be returned to the issuing authority within the magisterial district in which the offense allegedly occurred; who shall then comply with the provision of the Pennsylvania Rules of Criminal Procedure pertaining to preliminary hearings.

11. Defendants who are interested in, and eligible for, either Accelerated Rehabilitative Disposition (ARD) or the Alternative Sentencing Program (ASP) will be provided applications and information regarding these programs at DUI Central Court.

12. Defendants represented by counsel of record and who intend to proceed with the ARD program may waive their Formal Arraignment in compliance with PA.R.Crim.P. 571.

13. All defendants will be scheduled for a Court Reporting Network (CRN) evaluation and receive information about acquiring a Drug and Alcohol Evaluation at DUI Central Court by Northampton County Adult Probation.

14. The staff of the originating Magisterial District Court shall require that the written notices referenced in paragraphs 6 and 9 above and the following documents (as and where applicable) be entered into the MDJS and scanned into the Electronic Records Management System ("ERMS"): criminal complaint, affidavit of probable cause, confidential information form, bail bond, executed and returned arrest warrant, executed and returned search warrants, and any and all other documents created or referenced at the preliminary arraignment. The ERMS shall be accessible to the originating Magisterial District Court and DUI Central Court Staff.

15. As soon as is reasonably practicable, DUI Central Court Staff shall provide copies of the documents scanned into the ERMS and the schedule of upcoming preliminary hearings to (1) the Criminal Division of the

Northampton County Court of Common Pleas; (2) the Northampton County District Attorney's Office; (3) the Northampton County Public Defender's Office; and (4) defense attorneys.

16. The schedule of each week's preliminary hearings to be held at DUI Central Court shall be posted on the Northampton County Court of Common Pleas website at "www.nccpa.org" and in the hallway outside Central Court.

17. Following each proceeding in DUI Central Court, DUI Central Court Staff shall scan any and all documents generated at the proceeding into the ERMS. When all DUI Central Court proceedings in an individual case have been concluded, Central Court Staff shall deliver the original case documents to the Criminal Division of the Court of Common Pleas as soon as possible. Any documents required to be provided to the Office of the District Attorney or the Public Defender's Office shall be transmitted to those Offices by DUI Central Court Staff.

18. The Court Administrator shall take all steps necessary to implement the provisions of this Order.