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RE: Important Update/Advisory: Current Status of Eviction Filings and Judicial Backlog

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Dear Valued Client:

First and foremost, we hope this communication finds you and yours in continued health, happiness and prosperity. We are likely not alone in our belief that the pandemic we heard rumblings about in early 2020 has had, and will continue to have, a lasting impact on the world as we approach its two-year mark. Infection rates are currently worse than when the pandemic began and the lingering impacts are incomprehensible on several levels. With that being said, the challenges we all face are very real and united we must stand to forge forward in a positive light and with a focus on making the best of a trying situation. We are so very grateful and proud to be affiliated with your organization, and we thank you for your business partnership.

As you are likely aware, and as outlined in our recent advisory, the Supreme Court has recently issued an order deeming the CDC Eviction Moratorium unconstitutional. As such, and at the present time, we are no longer functioning under either a state or federal eviction moratorium. However, there continues to be a massive backlog of files in the court system, and this overstretching of judicial resources is being exacerbated by hundreds of new filings each month. Additionally, we are seeing a varied approach as to how the judiciary is reviewing previously stayed eviction files and how they are approaching recently filed cases. Specifically, certain judges are processing current evictions rapidly while older cases are not seeing movement, and vice versa, without a clear pattern. Internally, we are navigating a massive backlog in eviction filings as well, and as previously mentioned, we will be processing files from oldest to newest.

In light of the recent changes, we have already begun filing applicable motions in the oldest files in the hopes of moving said cases forward without any further delays. However, and as mentioned above, it is uncertain in which order the judiciary will process eviction files going forward. We believe we will continue to see a varied approach depending on the jurisdiction. In any event, it will take a significant amount of time to get cases back on track and return to a consistent timetable on eviction filings. While we understand your goals and objectives, you must understand landlords throughout the state, and the country for that matter, are in the very same boat. As such, and despite the immense amount of pressure on the judicial system to filter cases through quickly, there will be inherent delays. We understand the pressures you are under professionally and will continue to do everything in our power to resolve cases in an expeditious and favorable manner.



On another note, it is imperative that we all remain cognizant that the pandemic is far from over. COVID continues to impact staff and their families, which oftentimes results in quarantine requirements, further exacerbating the lack of professional support. Moreover, there are other aspects to the current situation we believe require equal consideration, time, and effort in order to get back to normal operations. Please know, we are committed to you and to your success. This is a time to pull together as a unified front as we rebuild, progress forward and fight to move past this truly unprecedented situation.

We remain available to you via telephone, email and virtually as you may need. We have expanded our staff to help address your matters as quickly as possible. However, we need your continued support in streamlining the processes and procedures used to address cases moving forward in order to efficiently and effectively move past this current backlog.

We respectfully request your understanding, cooperation and patience as we continue to address your legal needs. Undoubtedly, things will not happen as quickly as you may like and turnaround times will be affected, but know that we are addressing matters as quickly as humanly possible.

Warm Regards,

Your Friends at Barfield, McCain PA