

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE:	:	NO. 418
	:	
ELECTRONIC FILING SYSTEM	:	JUDICIAL ADMINISTRATION
IN THE APPELLATE COURTS	:	
	:	DOCKET
	:	

ORDER

PER CURIAM

AND NOW, this 6th day of January, 2014, the Order dated October 24, 2012, is amended as shown below with deletions in brackets and additional language underlined:

AND NOW, this 24th day of October, 2012, electronic filing of appellate court filings through the PACFile appellate court electronic filing system is hereby authorized. The use of the PACFile system shall not affect the form or content of documents to be filed. The applicable general rules of court and court policies that implement the rules shall continue to apply to all filings regardless of the method of filing. After experience is gained with electronic filing, the Pennsylvania Rules of Appellate Procedure shall be amended to incorporate, where needed and as appropriate, procedures relating specifically to electronic filing and service of documents. In the interim, electronic filing and service shall be governed by this Order.

I. Participation and Fees

The PACFile system shall permit attorneys and parties proceeding without counsel to file electronically. An attorney must establish an account in order to use the PACFile system. An attorney is responsible for the actions of other individuals whom the attorney authorizes to use the attorney's account. The PACFile system will permit parties who are proceeding without counsel to access their cases through an authorization process. Service of electronic filings on attorneys who have established an account and on parties without counsel who have been authorized will be made automatically by the PACFile system.

Applicable filing fees shall be paid electronically through procedures established by the appellate courts and the Administrative Office of Pennsylvania Courts, and at the

same time and in the same amount as required by statute, court rule or order. In addition to the filing fees now applicable, an online payment convenience fee for use of the PACFile system shall be imposed. See 204 Pa. Code § 207.3.

II. Use of the Electronic Filing System

(A) Electronic filings may be submitted at the UJS web portal: <http://ujportal.pacourts.us> beginning on November 1, 2012, in accordance with the filing instructions available at that site.

(B) Electronic filings may be submitted at any time (with the exception of periodic maintenance). The electronic filing must be completed by 11:59:59 p.m. EST/EDT to be considered filed that day.

(C) Sealed or confidential documents may be submitted for electronic filing in a manner that maintains confidentiality under applicable law.

(D) Signatures on electronic filings shall use the following form: */s/ Chris L. Smith.*

(E) The original of a sworn or verified document that is an electronic filing (e.g., affidavit) or is contained within an electronic filing (e.g., verification) shall be maintained by the electronic filer and made available upon direction of the court or reasonable request of the signatory or opposing party.

(F) Use of the PACFile system shall constitute the filer's certification that:

(1) The submission is authorized; and

(2) Electronic notice and service of other documents through the PACFile system will be accepted by the filer.

(G) The submission of an electronic filing shall satisfy the service requirements of Pa.R.A.P. 121 and 122 on any attorney or party who has established a UJS web portal account. **A party who is electronically served as a result of the submission of an electronic filing and who is required or permitted to act within a prescribed period after service shall have three days added to the prescribed period to the same extent as parties who proceed pursuant to Pa.R.A.P. 121(e).**

(H) Service of electronic filings on any attorney or party who has not established a UJS web portal account shall be made by the traditional methods required under Pa.R.A.P. 121 and 122.

(I) Within seven days of the submission of any electronic filing, the electronic filer shall submit **to the court [one] a** paper version of the electronic filing **[to the court's filing office] with as many copies as the court requires**. The paper version of the electronic filing shall be considered the original for archival purposes only. The electronic filer shall not be required to serve a paper copy of the electronic filing on the opposing party except as provided in subsection (H), above.

(J) If a rule of appellate procedure requires that a court provide notice by mail (as, for example, in Pa.R.A.P. 1931(d)), that court may instead provide that notice by means of its electronic filing system to a registered user of its system.

[(J)](K) The procedures described in this order apply in lieu of those prescribed by the Pennsylvania Rules of Appellate Procedure to the extent there are differences between the procedures; otherwise the Rules of Appellate Procedure continue to apply with full force and effect.

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE:	:	No. 450
	:	
ELECTRONIC FILING,	:	JUDICIAL ADMINISTRATION
TRANSMISSION AND REMAND	:	DOCKET
OF RECORDS ON APPEAL	:	

ORDER

PER CURIAM

AND NOW, this 13th day of November, 2015, the electronic filing, transmission and remand of records on appeal through the PACFile appellate court electronic filing system is hereby authorized, effective immediately. The applicable general rules of court and court policies that implement the rules shall continue to apply to the filing, transmission and remand of records on appeal regardless of whether a record is filed, transmitted or remanded electronically through the PACFile system. After experience is gained with electronic filing, transmission and remand of records on appeal, the Pennsylvania Rules of Appellate Procedure shall be amended to incorporate, where needed and as appropriate, procedures relating specifically to electronic filing, transmission and remand of records on appeal. In the interim, electronic filing, transmission and remand of records on appeal shall be governed by this Order and, to the extent there are differences between the procedures described in this Order and those prescribed by the Pennsylvania Rules of Appellate Procedure, the procedures described in this Order shall apply.

Electronic Filing, Transmission and Remand of Records

(A) The electronic filing, transmission or remand of a record through the PACFile system by a court or other government unit shall constitute the filing, transmission or remand of the record under the Pennsylvania Rules of Appellate Procedure.

(B) The filing, transmission or remand of a record through the PACFile system is effected when a court or other government unit utilizes the PACFile system to electronically file, transmit or give notice of the remand or remittal of the record to a court or other government unit.

(C) The date of the electronic filing, transmission or remand of a record through the PACFile system by a court or other government unit shall be noted on the docket of the filing, transmitting or remanding court or other government unit and on the docket of the receiving court or other government unit.

(D) Any documents or filings sealed in a court or other government unit may be electronically filed, transmitted or remanded through the PACFile system only in a manner that restricts access to the sealed documents or filings to the court or other government unit and registered users of the PACFile system who are authorized to view the sealed documents or filings. Documents filed *in camera* in a court or other government unit may not be electronically filed or transmitted through the PACFile system.

(E) The appellate courts shall retain control over electronic access to records electronically filed or transmitted through the PACFile system, and may exclude such electronic access in whole or in part.

(F) For the purposes of Pa.R.A.P. 1921, in any appeal in which the record is electronically filed or transmitted through the PACFile system, the documents and filings electronically filed or transmitted thereby shall constitute original papers and exhibits.

(G) Upon the electronic filing, transmission or remand of a record through the PACFile system, the record shall be considered to be in the possession of the receiving court or other government unit until the record is electronically filed in, or transmitted to another court or government unit, or notice of remand or remittal to another court or other government unit is given.

(H) If a Rule of Appellate Procedure or court policy requires that a court file, transmit, remand or remit a record to another court or other government unit, the filing, transmission or notice of remand or remittal to the receiving court or other government unit may also be effected through the PACFile system.

(I) If a Rule of Appellate Procedure or court policy requires that a court provide notice by mail of the filing, transmission, remand or remittal of a record (as, for example, in Pa.R.A.P. 1934), that court may instead provide electronic notice by means of the PACFile system to a registered user of the system.

(J) The procedures described in this Order apply in lieu of those prescribed by the Pennsylvania Rules of Appellate Procedure to the extent there are differences between the procedures; otherwise, the Rules of Appellate Procedure continue to apply with full force and effect.