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**IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY
COMMONWEALTH OF PENNSYLVANIA**

CIVIL DIVISION - LAW

**IN RE: ADMINISTRATIVE
ORDER 2023-19 LOCAL RULE
205.4 CONCERNING
ELECTRONIC FILING**

No.: C-48-CV-2023-09145

ADMINISTRATIVE ORDER

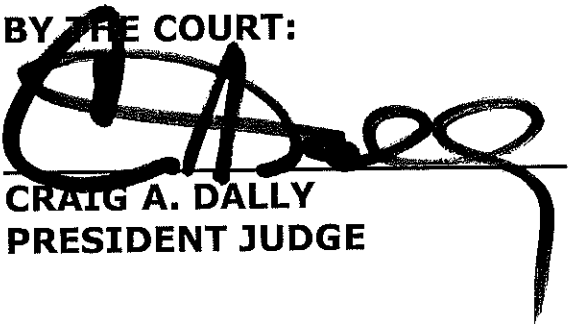
AND NOW, this 7th day of November, 2023, it is **ORDERED** and **DECREED** that Northampton County Local Rule N205.4, attached hereto, is hereby **ADOPTED**.

It is further **DIRECTED** that the Court Administrator of Northampton County shall comply with all publishing requirements set forth in Pa.R.J.A. 103(d)(5)-(6), such as: filing two (2) certified copies of this Order with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; filing one (1) certified copy of the Order with the Administrative Office of Pennsylvania Courts; publishing a copy of this Order on the Court's website; and incorporating these procedures into the complete set of Northampton County Local Rules no later than thirty (30) days following publication in the *Pennsylvania Bulletin*.

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FILED
COURT OF COMMON PLEAS
NORTHAMPTON COUNTY, PA

This local rule shall become effective on January 2, 2024, after no less than thirty (30) days of publication in the *Pennsylvania Bulletin*.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'C. A. Dally', is written over a horizontal line. The signature is stylized and somewhat cursive.

**CRAIG A. DALLY
PRESIDENT JUDGE**

Rule N205.4. Electronic Filing and Service of Legal Papers

A. Electronic Filing

1. Permissive Electronic Filing. All “legal papers” as defined by Pa. R.C.P. No. 205.4(a)(2) associated with the civil case types listed in A(2)(a)-(o) below are permitted to be filed electronically beginning **January 2, 2024.**

2. Case Types. Electronic filing applies exclusively to the following case types:

- (a). Tort (intentional, malicious prosecution, motor vehicle, nuisance, premises liability, product liability, slander/libel defamation, and other);
- (b). Mass Tort (asbestos, tobacco, toxic tort – DES, toxic tort – implant, toxic waste, and other);
- (c). Professional Liability (dental, legal, medical, and other);
- (d). Contract (buyer protection, debt collection – credit card; employment dispute, employment dispute – discrimination, and other);
- (e). Real Property (buyer protection, ejectment, eminent domain/condemnation, ground rent, landlord/tenant dispute (excluding MDJ appeals), mortgage foreclosure – residential, foreclosure – commercial, partition, quiet title, and other);
- (f). Civil Appeal (board of assessment, board of elections, statutory appeal, zoning board, and other);
- (g). Miscellaneous (common law/statutory arbitration, declaratory judgment, mandamus, quo warranto, replevin, and other).

- (h). Municipal and Tax Claims/Liens;
- (i). Liens (Commonwealth, broker's, federal, mechanics, municipal);
- (j). Judgments (amended, by transcript (Magisterial District Judge), confession, default, deficiency, enforcement, revival, satisfaction, and transfer);
- (k). Arbitration Appeals;
- (l). Writ of Scire Facias;
- (m). Writ of Revival;
- (n). Civil Subpoenas; and
- (o). Civil Appeals to Commonwealth and Superior Court

3. Registration. Electronic filers must register with CountySuite Portal. All use of the CountySuite Portal shall be in accordance with the CountySuite Portal user manual. All registered users shall be individuals, not law firms, agencies, corporations or other groups.

4. Original document. A legal paper filed electronically shall be deemed the original document, but copies of exhibits electronically filed do not constitute the original of the exhibit for evidentiary purposes.

5. Neither the Clerk of Court, Civil Division (also referred to as prothonotary) nor court administrator shall be obligated to print documents that are filed electronically.

B. Form of Documents Electronically Filed.

1. Format. To the extent practicable, documents shall be formatted in accordance with the applicable rules governing formatting of paper documents, and in such other and further format as the court may require from time to time. All electronic filings shall be

in PDF format. A document may exceed page limitation rules to a maximum of two additional pages when the additional pages are attributed to the electronic conversion of the filing process.

2. Title of Documents. The title of each electronically filed document shall include:

- (a). Descriptive title of the document;
- (b). Party or parties filing the document;
- (c). Party or parties against whom relief, if any, is sought; and
- (d). Nature of the relief sought (e.g. Motion for Summary Judgment of Defendant ABC Corporation Against Plaintiff Jones).

3. Signature.

a. Each electronically filed document shall be deemed to have been signed by the attorney or party represented by an attorney authorizing such filing and shall bear a facsimile or typographical signature of such person, e.g. “/s/ Adam Attorney”. Each document electronically filed by an attorney shall also include the typed name, address, and telephone number of the attorney or unrepresented party filing such document. Attorneys shall include their Pennsylvania bar number. Each electronically filed declaration and affidavit shall be deemed to have been signed by the declarant or affiant if an attorney or party not represented by an attorney has authorized such filing. Documents containing signatures of third-parties (i.e., unopposed motions, affidavits, stipulations, etc.) may also be filed electronically by

indicating in the original that signatures are maintained by the filing party in paper format.

b. The electronic filing of a legal paper constitutes a certification by the filing party that the original hard copy was properly signed and, where applicable, verified, and a certification as provided by the signature to a legal paper under Pa.R.Civ.P. 1023.1(c), violation of which shall be subject to the sanction provided in Pa.R.Civ.P. 1023.1(d). The filing party shall maintain the original hard copy of the filed document, in its native format, for two years after the later of: the disposition of the case; the entry of an order resolving the issue raised by the legal paper; or, the disposition by an appellate court of the issue raised by the legal paper. Any other party at any time may serve upon the filing party a notice to produce for inspection the signed hard copy within fourteen days of the service of the notice. The court upon motion may grant appropriate sanctions for failure to produce the signed hard copy pursuant to the notice.

C. Public Access to the Docket.

1. Public access to the docket is available on the Internet at <https://web.northamptoncounty.org/CountySuite.EServices>, or its successor website address. A link to the prothonotary's docket shall be maintained on the County-owned website at <https://www.northamptoncounty.org/CRTSRVCS/CIVIL/Pages/default.aspx>, or its successor website address.

2. The prothonotary shall also make a public access terminal available to the general public to allow access to the court's electronic case record in all electronically filed cases in the prothonotary's office.

D. Filing Fees.

1. All filing fees and payments shall be made at the time of filing with an authorized credit card through the CountySuite Portal. Filing fees and payments may not be deposited in advance with the prothonotary.

2. Filing fees billed by CountySuite Portal shall include the prothonotary's statutory filing fees.

3. The prothonotary is authorized to charge a convenience fee as set from time to time for each page of a legal paper or exhibit which is filed in hard copy format and which must be converted to the required format. The convenience fee shall be set by the prothonotary with the approval of the president judge.

E. Sealed Documents.

1. Documents intended to be filed under seal shall be designated by the filing party as "sealed" in the CountySuite Portal. However, designation of documents as "sealed" does not seal the documents. The filing party must submit a proper request for sealing documents in addition to making the designation in the CountySuite Portal.

2. The filing details and document title will appear in the electronic filing system. The documents can be viewed only by the court, prothonotary staff, and case participants.

F. Time of electronic filing.

1. The CountySuite Portal shall provide to the filer, using the email address registered by the filer, a courtesy email acknowledging that the filing was received. An official notification will be displayed in the CountySuite Portal, which includes the time and date, as a pending filing awaiting approval by the prothonotary. The prothonotary shall provide the filer with notification through the CountySuite Portal that the legal paper has been either accepted or rejected.

2. If a legal paper is accepted, it shall be deemed to have been filed as of the date and time it was received by the CountySuite Portal; however, if a legal paper is submitted without the requisite filing fee, the legal paper shall be deemed to have been accepted for filing as of the date payment is received pursuant to 42 P.S. §21073(b). The prothonotary will maintain an electronic file only in all matters where electronic filing is permitted by this Court.

(Comment: As required by Pa.R.Civ.P. 205.4(c) (1) access to the CountySuite Portal shall be available at all times, except for routine maintenance; however, legal documents can only be reviewed by prothonotary staff during normal office hours. Therefore, filers are cautioned to file required legal papers well in advance of any filing deadlines to enable timely correction and re-submission in the event a legal paper is not acceptable for filing.)

G. Service of Legal Papers.

1. Once an electronic filing has been accepted by the prothonotary which requires service by the sheriff, it shall be the responsibility

of the filing party to provide to the sheriff the proper service fee and documents for original service and writs.

2. Once an electronic filing has been accepted by the prothonotary, it shall be the responsibility of the filing party to serve a copy of the electronic filing upon every other party to the action in accordance with Pa.R.C.P. No. 440.

H. Entry of Appearance and Consent to Electronic Service of Legal Papers Other Than Original Process.

1. Any attorney who is a registered electronic filing user must file a separate entry of appearance with the initial pleading or legal paper file in a matter in accordance with Rule N1012 which contains the attorney's name, identification number, address, phone number, fax number (if applicable), and email address.

2. Every legal paper submitted for electronic filing must include the attorney's or party's email address in addition to the information required by Pa. R.C.P. No. 1025.

3. Any party who is a registered electronic filing user is deemed to consent to receive service of legal papers other than original process by email pursuant to Pa.R.C.P. No. 205.4(g)(1)(ii).

I. Obligation of Registered Electronic Filing Users to Maintain Proper Delivery Information.

1. Parties or attorneys who register to use the CountySuite Portal system shall notify CountySuite Portal and the prothonotary within ten days of any change in firm name, delivery address, fax number, or email address.