

IN RE: ADOPTION OF LOCAL RULES OF : IN THE COURT OF COMMON PLEAS  
JUVENILE COURT PROCEDURE : OF LACKAWANNA COUNTY  
: 2022 MD 45

---

**ORDER**

AND NOW, this 1<sup>st</sup> day of February, 2022, IT IS HEREBY ORDERED AND DECREED as follows:

1. The attached Lackawanna County Local Rule is HEREBY ADOPTED pursuant to Pa.R.J.C.P. 205 and Pa.R.J.C.P. 1205 effective March 14, 2022.
2. The adopted Local Rules shall be disseminated and published in the following manner:

One (1) certified copy of the adopted Local Rules shall be filed with the Administrative Office of the Pennsylvania Courts;

The adopted Local Rules shall be distributed to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin;

A copy of the adopted Local Rules shall be published on the Unified Judicial System's website through the Pennsylvania Judiciary's Web Application Portal;

The adopted Local Rules shall be kept continuously available for the public inspection and copying in the Office of the Clerk of Judicial Records, Family Court Juvenile Delinquency Division and Family Court Dependency Division, and upon request and payment of reasonable costs of reproduction and mailing, the Clerk of Judicial Records shall furnish to any requesting person a copy of the requested Local Rule; and

The adopted Local Rules shall be distributed to the Lackawanna Bar Association for publication on the website of the Lackawanna Bar Association.

The adopted Local Rules shall be published on the website of the Lackawanna County Court of Common Pleas.

*By the Court*

PATRICIA CORBETT,  
*President Judge*

## **Rule 205. Electronic Filing and Service of Legal Papers.**

### **(A) *General Scope and Purpose of this Rule.***

In agreement with the Administrative Office of Pennsylvania Courts, the electronic filing of legal papers in Lackawanna County Court of Common Pleas, 45<sup>th</sup> Judicial District, is hereby authorized in accordance with Pa.R.J.C.P. 205 and this Rule. 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.

**(B) *Legal Papers Defined.*** The legal Papers which shall be filed electronically shall encompass all written motions, written answers, and any notices or documents for which filings are required or permitted, including orders, copies of exhibits, and attachments except for the following:

1. Applications for search warrants;
2. Applications for arrest warrants;
3. Exhibits offered into evidence, whether or not admitted, in a court proceedings; and
4. Submissions filed *ex parte* as authorized by law.

**(C)** All attorneys shall establish a PACFile account using the United Judicial System of Pennsylvania Web Portal at <http://ujportal.pacourts.us/MyServices.aspx> and participation is permissive. Parties who are proceeding without counsel are not required to establish a PACFile account and are not required to file legal papers using the electronic PACFile system.

**(D)** Applicable filing fees shall be paid electronically through procedures established by the Clerk of Court and at the same time and in the same amount as required by statute, court rule, or order, or established by a published fee schedule.

### **(E) *Service.***

1. Upon submission of a legal paper for electronic filing, the PACFile system shall provide an electronic notification to other parties and attorneys to the case who are participating in electronic filing that the legal paper has been submitted. This notification upon submission shall satisfy the service requirements of Rules 167(B) and 345(B) on any attorney or party who has established a system account.
2. Service of electronic filings on any attorney or party who has not established a UJS web portal account or who is unable to file or receive legal papers electronically or otherwise unable to access the system shall be made by the procedures provided under Rules 167(B) and 345(B).
3. Attorney or self-represented parties who are unable or unwilling to participate in electronic filing of documents are permitted to file and serve the legal papers in a physical paper format.
4. Where an electronic filing cannot be submitted to no fault of the filing party, traditional filing shall be accepted.

**(F) *Legal Papers Filed in a Paper Format.*** Any legal paper submitted for filing to the Clerk of Courts in a paper (or "hard-copy") format shall be accepted by the Clerk of Courts in that format and

shall be retained by the Clerk of Courts as may be required by rules of Court and record retention policies. The Clerk of Courts shall convert such hard-copy legal paper to PDF and add it to the system, except those legal papers excluded from electronic filing pursuant to Pa.R.J.C.P. 205(C). Once converted to PDF, the PDF version of the legal paper shall be deemed and treated as the original legal paper and may be used by the parties and the Court for all purposes, including but not limited to, court hearings and trials.

- (G) *Confidential Information.* Counsel and unrepresented parties must adhere to the Public Access Policy of the Unified Judicial System of Pennsylvania and refrain from including confidential information in legal papers filed with the Clerk of Courts or the Court whether filed electronically or in paper format. Counsel and unrepresented parties must include confidential information relevant to the case on the approved AOPC Confidential Information Form. The Confidential Information shall be served on and made available to the parties to the case, the Court, and appropriate Court staff, as provided in the Public Access Policy. This Rule shall be effective (30) days from date of publication.

**Rule 1205. Electronic Filing and Service of Legal Papers.**

(A) *General Scope and Purpose of this Rule.*

In agreement with the Administrative Office of Pennsylvania Courts, the electronic filing of legal papers in Lackawanna County Court of Common Pleas, 45<sup>th</sup> Judicial District, is hereby authorized in accordance with Pa.R.J.C.P. 1205 and this Rule. 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.

- (B) *Legal Papers Defined.* The legal Papers which shall be filed electronically shall encompass all written motions, written answers, and any notices or documents for which filings are required or permitted, including orders, copies of exhibits, and attachments except for the following:

1. Submissions filed *ex parte* as authorized by law; and
2. Exhibits offered into evidence, whether or not admitted, in a court proceedings.

- (C) All attorneys shall establish a PACFile account using the United Judicial System of Pennsylvania Web Portal at <http://ujportal.pacourts.us/MyServices.aspx> and participation is permissive. Parties who are proceeding without counsel are not required to establish a PACFile account and are not required to file legal papers using the electronic PACFile system.

- (D) Applicable filing fees shall be paid electronically through procedures established by the Clerk of Court and at the same time and in the same amount as required by statute, court rule, or order, or established by a published fee schedule.

(E) *Service.*

1. Upon submission of a legal paper for electronic filing, the PACFile system shall provide an electronic notification to other parties and attorneys to the case who are participating in

electronic filing that the legal paper has been submitted. This notification upon submission shall satisfy the service requirements of Rules 1167(B) and 1345(B) on any attorney or party who has established a system account.

2. Service of electronic filings on any attorney or party who has not established a UJS web portal account or who is unable to file or receive legal papers electronically or otherwise unable to access the system shall be made by the procedures provided under Rules 1167(B) and 1345(B).
3. Attorney or self-represented parties who are unable or unwilling to participate in electronic filing of documents are permitted to file and serve the legal papers in a physical paper format.
4. Where an electronic filing cannot be submitted to no fault of the filing party, traditional filing shall be accepted.

(F) *Legal Papers Filed in a Paper Format.* Any legal paper submitted for filing to the Clerk of Courts in a paper (or “hard-copy”) format shall be accepted by the Clerk of Courts in that format and shall be retained by the Clerk of Courts as may be required by rules of Court and record retention policies. The Clerk of Courts shall convert such hard-copy legal paper to PDF and add it to the system, except those legal papers excluded from electronic filing pursuant to Pa.R.J.C.P. 1205(C). Once converted to PDF, the PDF version of the legal paper shall be deemed and treated as the original legal paper and may be used by the parties and the Court for all purposes, including but not limited to, court hearings and trials.

(G) *Confidential Information.* Counsel and unrepresented parties must adhere to the Public Access Policy of the Unified Judicial System of Pennsylvania and refrain from including confidential information in legal papers filed with the Clerk of Courts or the Court whether filed electronically or in paper format. Counsel and unrepresented parties must include confidential information relevant to the case on the approved AOPC Confidential Information Form. The Confidential Information shall be served on and made available to the parties to the case, the Court, and appropriate Court staff, as provided in the Public Access Policy. This Rule shall be effective (30) days from date of publication.

*By the Court*

PATRICIA CORBETT,  
*President Judge*