

Gary Weber

**IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY**

**IN RE: Amendment to the Lycoming**

:

**County Rules of Civil Procedure**

:

**Docket number: CV-2023-00001**

**ORDER**

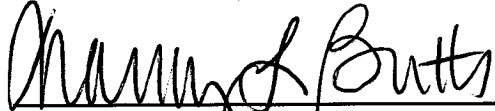
AND NOW, this 22<sup>nd</sup> day of May, 2023, it is hereby ORDERED AND

DIRECTED as follows:

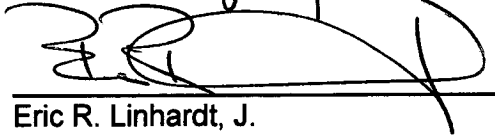
- 1) New Lycoming County Rule of Civil Procedure L205.4 is promulgated, as set forth on the attachment.
- 2) The Prothonotary is directed to do the following:
  - a) File one (1) copy of this order with the Administrative Office of Pennsylvania Courts;
  - b) Distribute two (2) copies and a computer disk of this order to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin; and
  - c) Forward one (1) copy of this order to the chairperson of the Lycoming County Customs and Rules Committee.
- 3) The chairperson of the Lycoming County Custom and Rules Committee is directed to do the following:
  - a) Publish the revised rules on the Lycoming Law Association website at <https://www.lycolaw.org/rules-contents>; and
  - b) Compile the rule revisions within the complete set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*.
- 4) The new rule shall become effective 30 days after the publication of this order in the Pennsylvania Bulletin.

THOMAS A. HEAR  
 PROTHONOTARY  
 2023 MAY 23 AM 10:19  
 2023 MAY 23 AM 10:19

BY THE COURT,



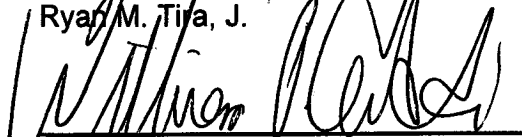
Nancy L. Butts, P.J.



Eric R. Linhardt, J.



Ryan M. Tira, J.



William P. Carlucci, J.

cc: Gary Weber, Customs and Rules Committee Chair

Court Administration

**L205.4. Electronic Filing and Service of Legal Papers**

**A. Electronic Filing**

1. All legal papers as defined by Pa.R.C.P. 205.4(a)(2) associated with the civil case types listed in A.2. below may be filed electronically.
2. **Case Types.** Electronic filing is allowed in 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, 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, partition, quiet title, and other);
  - (f). Statutory appeals (board of assessment, board of elections, zoning appeal, 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 Supreme, Commonwealth and Superior Courts.
3. **Registration.** Electronic filers must register with the prothonotary's designated electronic filing management system in accordance with the 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 to be the original document, but copies of exhibits electronically filed do not constitute the original of the exhibit for evidentiary purposes.

**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. All electronic filings shall be in Portable Document Format ("PDF").
2. **Document Title.** The title of each electronically filed document shall match the title of the docket entry.
3. **Signature.** Each electronically filed document shall be deemed to have been signed by the attorney, or party not 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 shall also include the typed name, address, and telephone number of the attorney or unrepresented party filing such document.

**C. Public Access to the Docket.**

1. Public access to the prothonotary's civil case dockets shall be available on the Internet at [www.lyco.org/Elected-Officials/Prothonotary-Clerk-of-Courts](http://www.lyco.org/Elected-Officials/Prothonotary-Clerk-of-Courts).
2. The prothonotary shall make a public access terminal available to the general public, to allow access to the electronic case records.

**D. Filing Fees.**

1. All filing fees and payments shall be made at the time of filing with an authorized credit card through the prothonotary's designated electronic filing management system. Authorized cards shall include Visa, MasterCard or Discover. Filing fees and payments may not be deposited in advance with the prothonotary. Any document for which a fee would otherwise be charged, that is accompanied by a praecipe or petition to proceed *in forma pauperis*, will be accepted for filing and time-stamped in accordance with Pa.R.C.P. no. 240(c) and (d).
2. The prothonotary may charge a convenience fee for the conversion of a legal paper or exhibit to PDF format for electronic filing.

**E. Sealed Documents.**

1. Documents intended to be filed under seal shall be designated by the filing party as "sealed" in the prothonotary's designated electronic filing management system. The filing party must submit a proper request for sealing documents in addition to making the designation.
2. The prothonotary will include the filing details and document title in the electronic filing system. The documents can be viewed only by the court, prothonotary office staff, and case participants, as applicable.

**F. Time of electronic filing.**

1. The prothonotary's designated electronic filing management system shall provide to the filer, using the email address registered by the filer, an email acknowledging that the filing was received. An official notification will also be displayed in the prothonotary's designated electronic filing management system, which includes the time and date, as a pending filing awaiting approval by the prothonotary. The prothonotary shall provide the filer with notification when 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 prothonotary's designated electronic filing management system.

**Note:** Access to the prothonotary's designated electronic filing management system shall be always available, except during routine maintenance; however, legal documents can only be reviewed by prothonotary staff during normal office hours. 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.

3. The prothonotary will maintain one hard copy of documents that are filed electronically.

**G. Service of Legal Papers.**

1. Once electronically filed original process has been accepted by the prothonotary, it shall be the responsibility of the filing party to provide to the sheriff the proper service fee and documents for service.

2. Service of all other documents shall be by the filing party, in accordance with the rules of civil procedure.

**H. Obligation of Registered Electronic Filing Users to Maintain Proper Contact Information.** Parties or attorneys who register to use prothonotary's designated electronic filing management system shall provide notification within ten days of any change in firm name, address, fax number, or email address.