

**COURT OF COMMON PLEAS OF MONROE COUNTY
FORTY-THIRD JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA**

**In re: Local Rule of Criminal Procedure : 101 AD 2021
576.1 Rescinded, Amended and : 5 CV 2021
Adopted :
 :**

ORDER

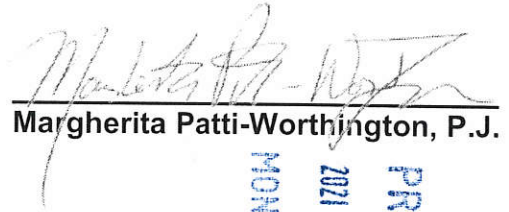
And Now, this 26th day of October, 2021, *it is Ordered* that Monroe County Rules of Criminal Procedure (Monroe Co.R.Crim.P. 576.1) is rescinded, amended and adopted effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

It Is Further Ordered that the District Court Administrator shall:

1. File one (1) electronic copy of this Rule with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
2. File two (2) paper copies of this Order and Rule with the Legislative Reference Bureau and one (1) electronic copy in Microsoft Word format only via email to bulletin@palrb.us for publication in the *Pennsylvania Bulletin*.
3. Arrange to have this Rule published on the Monroe County Bar Association website at www.monroebar.org.
4. Arrange to have this Rule, as well as all local rules, published on the 43rd Judicial District website at www.monroepacourts.us.
5. Keep this Rule, as well as all local rules of this Court, continuously available for public inspection and copying in the respective Monroe County filing office

- a. Upon request and payment of reasonable cost of reproduction and mailing, the respective filing office shall furnish to any person a copy of any local rule.

BY THE COURT:



Margherita Patti-Worthington, P.J.

PROTHONOTARY
2021 OCT 26 P 3:10
MONROE COUNTY, PA

cc: John J. Goldner, District Court Administrator

COURT OF COMMON PLEAS, 43rd JUDICIAL DISTRICT – CRIMINAL DIVISION
MONROE COUNTY

RULE 576.1 - ELECTRONIC FILING AND SERVICE OF LEGAL PAPERS

(A) General Scope and Purpose of this Rule.

The electronic filing of legal papers in the Court of Common Pleas, 43rd Judicial District, is authorized in accordance with Pa.R.Crim.P. 576.1 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) The Administrative Office of Pennsylvania Courts agreed upon the implementation plan for the use of PACFile in the 43rd Judicial District as of June 28, 2016.

(C) Pursuant to Pa.R.Crim.P. 576.1(B)(2) and this local rule, use of the current electronic filing system, or any subsequent electronic filing system authorized by the Court, is mandatory as of January 1, 2022 and legal papers permitted and excluded from electronic filing are as defined in Pa.R.Crim.P. 576.1(C).

(D) The Clerk of Courts shall maintain an electronic file only, except for filings expressly excluded in Pa.R.Crim.P. 576.1(C) defining “legal paper.” For such filings, the Clerk of Courts shall maintain a paper file numbered in accordance with the electronic file for the same case.

(E) PACFile

(1) The exclusive system for electronic filing is the PACFile System, developed and administered by the Administrative Office of the Pennsylvania Courts and located on Pennsylvania’s Unified Judicial System Web Portal at:

<https://ujportal.pacourts.us/>

(2) Pursuant to Pa.R.Crim.P. 576.1(D)(2), establishment of a PACFile account constitutes consent to participate in electronic filing, including acceptance of service electronically of any document filed on the PACFile system in any judicial district that permits electronic filing.

(3) Any party who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the PACFile system, shall be permitted to file legal papers in a physical paper format and shall be served legal papers in a physical paper format by the Clerk of Courts and other parties, whether electronically filed or otherwise, as required by Pa.R.Crim.P. 576.

(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, whether required or permitted under this rule, 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 applicable rules of Court and record retention policies. The Clerk of Courts shall convert such hard-copy legal paper to pdf, add it to the electronic system, and return the paper copy to the filer, except those legal papers excluded from electronic filing pursuant to Pa.R.Crim.P. 576.1(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 in the Court of Common Pleas, 43rd Judicial District.

(G) Filing Fees

Applicable filing fees shall be paid through procedures established by the Clerk of Courts and at the same time and in the same amount as required by statute, Court rule or order, or published fee schedule.

(H) Record on Appeal

Electronically filed legal papers, and copies of legal papers filed in a paper format as provided in subsection (F), shall become the record on appeal.

(I) 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 a paper format. Counsel and unrepresented parties must include confidential information relevant to the case on the approved AOPC *Confidential Information Form*. The *Confidential Information Form* 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.

(J) Miscellaneous provisions.

The Clerk of Courts shall provide sufficient computer terminals at such locations

as may be determined from time to time to allow parties and the public to file and access legal papers as provided by this rule and as authorized by applicable Public Access Policies.