

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE:	:	No. 389
	:	
ELECTRONIC FILING SYSTEM	:	JUDICIAL ADMINISTRATION
IN THE APPELLATE COURTS	:	
	:	DOCKET
	:	

ORDER

PER CURIAM

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.

(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 one paper version of the electronic filing to the court's filing office. 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) 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.