

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

Local Rule of Judicial Administration

Civil Docket No. 17-5120

**IN RE: Case Records Public Access
Policy of the Unified Judicial
System of Pennsylvania**

Criminal Docket No. MD-1545-17

WHEREAS, the Pennsylvania Supreme Court has recently amended its past adopted Public Access Policy (the "Policy") of the Unified Judicial System of Pennsylvania: Case Records of Appellate and Trial Courts,¹ which applies to all court records, including civil, family, criminal, Orphans' Court; minor courts' matter; and

WHEREAS, the Policy establishes uniform standards for all appellate and trial courts in responding to requests from the public for case records; and

WHEREAS, the Policy is built upon the principle that court records are open for inspection by the public while maintaining appropriate boundaries for the protection of individuals who come into the court system; and

WHEREAS, the Policy provides access protocols for sensitive information which might be found in case files, including the following:

1. Where applicable authority requires information listed in Section 7.00(A) of the Public Access Policy of the Unified Judicial System of Pennsylvania to appear on certain documents, the Public Access Policy does not apply. Otherwise, certain types of information set forth in Section 7.00(A) ("Confidential Information"), cannot be included in court filings, but instead must be identified to the court on a separate form, called a Confidential Information Form (the "CIF") and attached to the filing. The CIF is not available to the public. Alternatively, a court may require a party to file two versions of every document- a redacted and unredacted version. The unredacted version is not available to the public. Attached hereto as Exhibit "A" is the "CIF".
2. Certain documents set forth in Section 8.00 of the Public Access Policy of the Unified Judicial System of Pennsylvania must be filed with a Confidential Document Form (the "CDF"), such as Financial Documents. While the CDF which describes the document is available to the public, the underlying document is not. The "CDF" form is attached hereto as Exhibit "B".
3. The forms shall be available in each filing office as well as on the Court and OJS websites at <http://www.co.delaware.pa.us/>.

¹ The Policy was initially promulgated by the Supreme Court of Pennsylvania under such an administrative order dated January 6, 2017. See Order dated January 6, 2017 No. 477 – Judicial Administration Docket. The Supreme Court of Pennsylvania more recently amended the Policy via its administrative order of March 28, 2018, to include within the Policy's scope all minor courts (E.g. Magisterial District Courts) and relatedly rescinded as of July 1, 2018, the Public Access Policy of the Unified Judicial System of Pennsylvania: Official Case Records of the Magisterial District Courts. See Order dated March 28, 2018, No. 496 – Judicial Administration Docket.

4. Certain cases are not accessible to the public because there is no method to ensure that all of the sensitive information contained in the case file can be redacted before permitting public access.
5. Certain Information is only accessible at the courthouse and not online.
6. A certification shall be filed on every document filed with a court or custodian. The Certificate of Compliance Form is attached hereto as Exhibit "C".

AND NOW, this 26TH day of June, 2018, it is hereby ordered and decreed that the following policy regarding access to case records, is hereby adopted effective July 1, 2018. It is further ordered and decreed that the local rule Public Access Policy signed on December 7th, 2017 and effective on January 6th, 2018, is hereby rescinded, effective July 1st, 2018.

1. Relationship to the Policy.

This Local Rule of Judicial Administration shall be known as the Delaware County Public Access Policy Local Rule, and is intended to conform procedure and practice in the Courts operating within the 32nd Judicial District to the Public Access Policy adopted by the Unified Judicial System of Pennsylvania concerning case records ("the Policy").

2. Definitions.

"Confidential Information" is all information identified in Section 7 of the Public Access Policy of the Unified Judicial System of Pennsylvania, and to conform with the schedule attached hereto as Exhibit "D", which identifies Limits of Public Access to the Unified Judicial System Case Records ("Limits of Public Access Matrix").

"Confidential Document" is all documents identified in Section 8 of the Public Access Policy of the Unified Judicial System of Pennsylvania.

All remaining definitions are addressed in section 1.0 of the State Public Access Policy of the Unified Judicial System of Pennsylvania and are incorporated herein by reference.

3. Compliance/Appropriate Sanctions.

Compliance with the Delaware County Public Access Policy Local Rule including the Limits of Public Access Schedule is the responsibility of litigants and

attorneys, each of whom shall be responsible for safeguarding Confidential Information and Confidential Documents. Those litigants and attorneys who are found to have failed to comply with this local rule shall be subject to the imposition of appropriate sanctions.

4. Responding to Requests for Access to Case Records

A custodian shall fulfill a request for access to case records as promptly as possible under the circumstances existing at the time of the request. If the request is unable to be fulfilled promptly or at all, the custodian shall inform the requestor of the specific reasons why access to the information is being delayed and/or denied. If a request is denied, the denial shall be in writing. A Request For Access Form is attached hereto and marked as Exhibit "E".

5. Orphans' Court Division.

For all Orphans' Court matters, all "Confidential Information" as defined in Section 7.0 of the Policy which is to be filed with any Case Record, shall be set forth on the Confidential Information Form. Such policy is subject to change upon Order of Court, which could direct (among other things) that a redacted version of any document be produced.

TRIAL DIVISION

6. Civil Section and Family Section.

For all Civil and Family matters, any filing containing Confidential Information, not required by applicable authority to appear in the document, shall be redacted and accompanied by a Confidential Information Form (CIF), and only the redacted version will be accessible by the public. Any filing of a Confidential Document shall be accompanied by a Confidential Document Form (CDF) and only the CDF will be accessible by the public. As to all Family matters, on-line remote access is limited to the Docket. The presiding judge, upon application of a litigant or attorney or acting *sua sponte*, retains the right to require filing in a redacted/unredacted form.

7. Criminal Section.

For all Criminal matters, any filing containing Confidential Information, not required by applicable authority to appear in the document, shall be redacted and accompanied by a Confidential Information Form (CIF), and only the redacted version will be accessible by the public. Any filing of a Confidential Document shall be accompanied by a Confidential Document Form (CDF), and only the CDF will be accessible by the public. Additionally, all confidentiality provisions regarding Juvenile Court proceedings shall continue to comply with the Juvenile Act. The presiding judge, upon application of a litigant or attorney or acting *sua sponte*, retains the right to require filing in a redacted/unredacted form.

8. Magisterial District Courts

a. Magisterial District Courts

For all Magisterial District Court matters, any filing containing Confidential Information, not required by applicable authority to appear in the document, shall be redacted and accompanied by a Confidential Information Form (CIF), and only the redacted version will be accessible by the public. Any filing of a Confidential Document shall be accompanied by a Confidential Document Form (CDF), and only the CDF will be accessible by the public. If a filed document fails to comply with the requirements of this section, a Magisterial District Court may, upon request or its own initiative, with or without a hearing order the filed document redacted, amended or both.

b. Public Access

When desiring to inspect or copy case records, an oral or written request must be made to the applicable custodian. Requests shall identify or describe the records sought with specificity to enable the custodian to ascertain which records are being requested. If the information that is the subject of a request is complex or voluminous, the custodian may require a written request. The custodian may also designate an individual to monitor access to ensure the integrity of the case records is maintained.

c. Fees

Fees for the duplication by photocopying or printing from electronic media or microfilm will be \$0.25 per page. All Fee schedules for the Magisterial District Court shall be publicly posted in an area accessible to the public.

d. Relief from Denial

Relief from a denial by a Magisterial District Court may be sought by filing a written appeal within ten (10) business days of a denial to the Deputy Administrator, Special Courts, 100 N. Front Street, Media, Pa. 19063. Within twenty (20) business days, the Deputy Administrator, Special Courts shall make a determination and forward it in writing to the requestor. Any further appeal shall be subject to Chapter 15, Judicial review of Government Determinations, of the Rule of Appellate Procedure.

9. Corrections of Clerical Errors in Case Record

A Party, or the party's attorney, seeking to correct a Clerical Error in a case record may submit a Request for Correction of Clerical Error to the Custodian which is attached hereto as Exhibit "F".

All requests shall be in writing on the form designated by the Administrative Office of Pennsylvania Courts. The requestor shall specifically describe within the request the alleged Clerical Error and shall provide sufficient facts, including

supporting documentation, to corroborate the allegation of Clerical Error. The requestor shall provide copies of the request to each party in the case.

Within 10 business days of its receipt of the request, the Custodian shall reply in writing to the requestor and each party in the case, selecting one of the following responses:

- a. The request does not contain sufficient facts to determine the information alleged to be in error, and no further action will be taken in the reply to the request;
- b. The request does not concern a Case Record which is subject to this policy, and no further action will be taken on the request;
- c. A Clerical Error does exist in the Case Record and the Clerical Error in question has been corrected;
- d. A Clerical Error does not exist in the Case Record; or
- e. The request has been received and an additional period not exceeding 30 business days is necessary to complete a review of the request.

The requestor and each party in the case may seek review of the Custodian's reply under subsections 9(a)-(d) of this Local Rule of Judicial Administration within 10 business days of the mailing date of the Custodian's Reply. The Request For Review of Custodian's Reply shall be made on the form designated by the Administrative Office of Pennsylvania Courts. The Request For Review shall be considered by the judge(s) who presided over the case. However, if the Request For Review concerns a Magisterial District Court's decision, it shall be reviewed by the Special Court Administrator in accordance with 8(d) above.

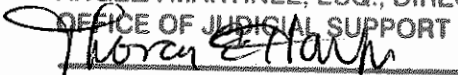
10. Motions to Seal Court Records.

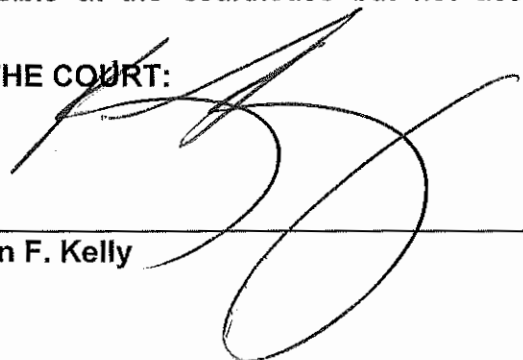
This Public Access Policy Local Rule in no way alters the ability and authority of the Court, upon application of a litigant or attorney or acting *sua sponte*, to seal a record or any portion of a record for reasons not inconsistent with the Policy of the Unified Judicial System of Pennsylvania.

11. Public Accessibility to Case Records.

Accessibility of all case record information by the public shall be governed by the attached Limits of Public Access Matrix. (Attached hereto as Exhibit 'C'). Please note that certain case record information is inaccessible, while other case record information may be publicly accessible at the courthouse but not accessible online.

BY THE COURT:

CERTIFIED A TRUE AND CORRECT
COPY FROM THE RECORD
THIS 28 DAY OF June AD 2018
ANGELA MARTINEZ, ESQ., DIRECTOR
OFFICE OF JUDICIAL SUPPORT




Kevin F. Kelly

P.J.

FILED JM

2018 JUN 28 AM 9:21

OFFICE OF
JUDICIAL SUPPORT
UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA

EXHIBIT "A"

**CONFIDENTIAL
INFORMATION
FORM**



Case Records Public Access Policy of the Unified Judicial System of Pennsylvania
204 Pa. Code § 213.81
www.pacourts.us/public-records

(Party name as displayed in case caption)

Docket/Case No.

Vs.

(Party name as displayed in case caption)

Court

This form is associated with the pleading titled _____, dated _____.

Pursuant to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*, the Confidential Information Form shall accompany a filing where confidential information is **required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter**. This form, and any additional pages, shall remain confidential, except that it shall be available to the parties, counsel of record, the court, and the custodian. This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

This Information Pertains to:	Confidential Information:	References in Filing:
<p>_____ (full name of adult)</p> <p>OR</p> <p>This information pertains to a minor with the initials of ____ and the full name of</p> <p>_____ (full name of minor)</p> <p>and date of birth: _____</p>	<p>_____ Social Security Number (SSN):</p> <p>_____ Financial Account Number (FAN):</p> <p>_____ Driver's License Number (DLN):</p> <p>_____ State of Issuance:</p> <p>_____ State Identification Number (SID):</p>	<p>Alternative Reference: SSN 1</p> <p>Alternative Reference: FAN 1</p> <p>Alternative Reference: DLN 1</p> <p>Alternative Reference: SID 1</p>
<p>_____ (full name of adult)</p> <p>OR</p> <p>This information pertains to a minor with the initials of ____ and the full name of</p> <p>_____ (full name of minor)</p> <p>and date of birth: _____</p>	<p>_____ Social Security Number (SSN):</p> <p>_____ Financial Account Number (FAN):</p> <p>_____ Driver's License Number (DLN):</p> <p>_____ State of Issuance:</p> <p>_____ State Identification Number (SID):</p>	<p>Alternative Reference: SSN 2</p> <p>Alternative Reference: FAN 2</p> <p>Alternative Reference: DLN 2</p> <p>Alternative Reference: SID 2</p>

**CONFIDENTIAL
INFORMATION
FORM**



Additional page(s) attached. _____ total pages are attached to this filing.

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Signature of Attorney or Unrepresented Party

Date

Name: _____

Attorney Number: (if applicable) _____

Address: _____

Telephone: _____

Email: _____

NOTE: Parties and attorney of record in a case will have access to this Confidential Information Form. Confidentiality of this information must be maintained.

Rev. 7/2018

THIS FORM IS CONFIDENTIAL

**CONFIDENTIAL
INFORMATION
FORM**



Additional page (if necessary)

This Information Pertains to:	Confidential Information:	References in Filing:
<p>(full name of adult)</p> <p>OR</p> <p>This information pertains to a minor with the initials of ____ and the full name of</p> <p>(full name of minor)</p> <p>and date of birth: _____</p>	<p>Social Security Number (SSN): _____</p> <p>Financial Account Number (FAN): _____</p> <p>Driver's License Number (DLN): _____</p> <p>State of Issuance: _____</p> <p>State Identification Number (SID): _____</p>	<p>Alternative Reference: SSN ____</p> <p>Alternative Reference: FAN ____</p> <p>Alternative Reference: DLN ____</p> <p>Alternative Reference: SID ____</p>
<p>(full name of adult)</p> <p>OR</p> <p>This information pertains to a minor with the initials of ____ and the full name of</p> <p>(full name of minor)</p> <p>and date of birth: _____</p>	<p>Social Security Number (SSN): _____</p> <p>Financial Account Number (FAN): _____</p> <p>Driver's License Number (DLN): _____</p> <p>State of Issuance: _____</p> <p>State Identification Number (SID): _____</p>	<p>Alternative Reference: SSN ____</p> <p>Alternative Reference: FAN ____</p> <p>Alternative Reference: DLN ____</p> <p>Alternative Reference: SID ____</p>

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THIS FORM IS CONFIDENTIAL

**CONFIDENTIAL
INFORMATION
FORM**



Instructions for Completing the Confidential Information Form

The following information is confidential and shall not be included in any document filed with a court or custodian, except on a Confidential Information Form filed contemporaneously with the document:

1. Social Security Numbers
2. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject of the case and cannot otherwise be identified. "Financial Account Numbers" include financial institution account numbers, debit and credit card numbers, and methods of authentication used to secure accounts such as personal identification numbers, user names and passwords.
3. Driver License Numbers
4. State Identification (SID) Numbers
5. Minors' names and dates of birth except when a minor is charged as a defendant in a criminal matter (see 42 Pa.C.S. § 6355). "Minor" is a person under the age of eighteen.
6. Abuse victim's address and other contact information, including employer's name, address and work schedule, in family court actions as defined by Pa.R.C.P. No. 1931(a), except for victim's name. "Abuse Victim" is a person for whom a protection order has been granted by a court pursuant to Pa.R.C.P. No. 1901 et seq. and 23 Pa.C.S. § 6101 et seq. or Pa.R.C.P. No. 1951 et seq. and 42 Pa.C.S. § 62A01 et seq. **If necessary, this information must be provided on the separate Abuse Victim Addendum. Please note there are separate instructions for the completion of the Addendum located on the form.**

Please note this form does not need to be filed in types of cases that are sealed or exempted from public access pursuant to applicable authority (e.g. juvenile, adoption, etc.).

- **The best way to protect confidential information is not to provide it to the court. Therefore, only provide confidential information to the court when it is required by law, ordered by the court or is otherwise necessary to effect the disposition of a matter.**
- Do not include confidential information in any other document filed with the court under this docket.
- If you need to refer to a piece of confidential information in a document, use the alternate references. If you need to attach additional pages, sequentially number each alternate reference – i.e. SSN 3, SSN 4, etc.
- This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

A court or custodian is not required to review or redact any filed document for compliance with the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*. A party's or attorney's failure to comply with this section shall not affect access to case records that are otherwise accessible.

If a filed document fails to comply with the requirements of the above referenced policy, a court of record may, upon motion or its own initiative, with or without a hearing, order the filed document sealed, redacted, amended or any combination thereof; a magisterial district court may, upon request or its own initiative, redact, amend or both. A court of record may impose sanctions, including costs necessary to prepare a compliant document for filing in accordance with applicable authority.

**CONFIDENTIAL
INFORMATION
FORM**



Abuse Victim Addendum

Instructions for Completing the Abuse Victim Addendum: The Abuse Victim Addendum shall accompany a filing where confidential information is being provided by an abuse victim, as defined in this policy, in family court actions (see Pa.R.C.P. No. 1931(a)), as required by law, ordered by the court, or otherwise necessary to effect the disposition of a matter. This addendum, and any additional pages, shall only be provided to the court and shall remain confidential. The best way to protect confidential information is not to provide it to the court. Therefore, only provide confidential information to the court when it is required by law, ordered by the court or is otherwise necessary to effect the disposition of a matter.

Type of Family Court Action		
<input type="checkbox"/> Divorce, Annulment, Dissolution of Marriage <input type="checkbox"/> Child Custody <input type="checkbox"/> Support <input type="checkbox"/> Paternity <input type="checkbox"/> Protection from Abuse		
This Information Pertains to:	Confidential Information:	References in Filing:
(full name of abuse victim)	AV Address:	Alternative Reference: AV 1 Address
Docket/Case No. of Protection Order	AV Employer's Name & Address:	Alternative Reference: AV 1 Employer's Name & Address
Court/County	AV Work Schedule:	Alternative Reference: AV 1 Work Schedule
	AV Other contact information:	Alternative Reference: AV 1 Other contact information

Attach additional page(s) if necessary.

**CONFIDENTIAL
INFORMATION
FORM**



Abuse Victim Addendum
Additional page (if necessary)

Type of Family Court Action		
<input type="checkbox"/> Divorce, Annulment, Dissolution of Marriage <input type="checkbox"/> Child Custody <input type="checkbox"/> Support <input type="checkbox"/> Paternity <input type="checkbox"/> Protection from Abuse		
This Information Pertains to:	Confidential Information:	References in Filing:
_____ (full name of abuse victim) _____ Docket/Case No. of Protection Order _____ Court/County	AV Address: _____ AV Employer's Name & Address: _____ AV Work Schedule: _____ AV Other contact information:	Alternative Reference: AV __ Address Alternative Reference: AV __ Employer's Name & Address Alternative Reference: AV __ Work Schedule Alternative Reference: AV __ Other contact information

Type of Family Court Action		
<input type="checkbox"/> Divorce, Annulment, Dissolution of Marriage <input type="checkbox"/> Child Custody <input type="checkbox"/> Support <input type="checkbox"/> Paternity <input type="checkbox"/> Protection from Abuse		
This Information Pertains to:	Confidential Information:	References in Filing:
_____ (full name of abuse victim) _____ Docket/Case No. of Protection Order _____ Court/County	AV Address: _____ AV Employer's Name & Address: _____ AV Work Schedule: _____ AV Other contact information:	Alternative Reference: AV __ Address Alternative Reference: AV __ Employer's Name & Address Alternative Reference: AV __ Work Schedule Alternative Reference: AV __ Other contact information

EXHIBIT “B”

**CONFIDENTIAL
DOCUMENT FORM**



Case Records Public Access Policy of the Unified Judicial System of Pennsylvania
204 Pa. Code § 213.81
www.pacourts.us/public-records

(Party name as displayed in case caption)

Docket/Case No.

Vs.

(Party name as displayed in case caption)

Court

This form is associated with the pleading titled _____, dated _____, _____.

Pursuant to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*, the Confidential Document Form shall accompany a filing where a confidential document is required by law, ordered by the court, or is otherwise necessary to effect the disposition of a matter. This form shall be accessible to the public, however the documents attached shall not be publicly accessible, except as ordered by a court. The documents attached will be available to the parties, counsel of record, the court, and the custodian. **Please only attach documents necessary for the purposes of this case.** Complete the entire form and check all that apply. This form and any additional pages must be served on all unrepresented parties and counsel of record.

Type of Confidential Document	Paragraph, page, etc. where the confidential document is referenced in the filing:
<input type="checkbox"/> Financial Source Documents	
<input type="checkbox"/> Tax Returns and schedules	
<input type="checkbox"/> W-2 forms and schedules including 1099 forms or similar documents	
<input type="checkbox"/> Wage stubs, earning statements, or other similar documents	
<input type="checkbox"/> Credit card statements	
<input type="checkbox"/> Financial institution statements (e.g., investment/bank statements)	
<input type="checkbox"/> Check registers	
<input type="checkbox"/> Checks or equivalent	
<input type="checkbox"/> Loan application documents	
<input type="checkbox"/> Minors' educational records	
<input type="checkbox"/> Medical/Psychological records	
<input type="checkbox"/> Children and Youth Services' records	
<input type="checkbox"/> Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.C.P. No. 1920.33	
<input type="checkbox"/> Income and Expense Statement as provided in Pa.R.C.P. No. 1910.27(c)	
<input type="checkbox"/> Agreements between the parties as used in 23 Pa.C.S. §3105	

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Signature of Attorney or Unrepresented Party

Date

Name: _____

Attorney Number: (if applicable) _____

Address: _____

Telephone: _____

Email: _____

**CONFIDENTIAL
DOCUMENT FORM**



Instructions for Completing the Confidential Document Form

The following documents are confidential and shall be filed with a court or custodian with the "Confidential Document Form":

1. Financial Source Documents as listed on the form
2. Minors' educational records
3. Medical/Psychological records are defined as "records relating to the past, present, or future physical or mental health or condition of an individual"
4. Children and Youth Services' records
5. Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.C.P. No. 1920.33
6. Income and Expense Statement as provided in Pa.R.C.P. No. 1910.27(c)
7. Agreements between the parties as used in 23 Pa.C.S. § 3105

For each confidential document, list the paragraph, page, etc. where the document is referenced in the filing. Please note, this form does not need to be filed in types of cases that are sealed or exempted from public access pursuant to applicable authority (e.g. juvenile, adoption, etc.)

- **Please only attach documents necessary for the purposes of this case.**
- Complete the entire form and check all that apply.
- This form, and any additional pages, must be served on all unrepresented parties and counsel of record.

A court or custodian is not required to review or redact any filed document for compliance with the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*. A party's or attorney's failure to comply shall not affect access to case records that are otherwise accessible.

If a filed document fails to comply with the above referenced policy, a court of record may, upon motion or its own initiative, with or without a hearing, order the filed document sealed; a magisterial district court may do so upon request or its own initiative. A court of record may impose sanctions, including costs necessary to prepare a compliant document for filing in accordance with applicable authority.

Rev. 7/2018

EXHIBIT “C”

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: _____

Signature: _____

Name: _____

Attorney No. (if applicable): _____

Rev. 7/2018

EXHIBIT “D”

LIMITS ON PUBLIC ACCESS TO UNIFIED JUDICIAL SYSTEM CASE RECORDS

Subject Area	Record Description	Accessibility	Authority
Civil	Jurors Notes.	No Public Access. Collected and destroyed post-trial.	Pa.R.C.P. No. 223.2.
Commonwealth Court	Child Line Registry Cases.	No Public Access to documents in the case except Orders and Opinions wherein the court shall use initials of the minor child involved rather than full name.	Admin. Order No. 126 Misc. Docket No. 3 (February 8, 2013).
Criminal	Juror's Address.	No Public Access.	<i>Commonwealth v. Long</i> , 922 A.2d 892 (Pa. 2007).
Criminal	Sealed affidavit of probable cause for a search warrant.	No Public Access while sealed. The affidavit may not be sealed for more than 60 days unless an extension is received. Extensions may not be longer than 30 days, but an unlimited number of extensions are available. Public may access the affidavit after it has been unsealed.	Pa.R.Crim.P. 211.
Criminal	Unexecuted Search Warrant.	No Public Access until warrant is executed.	Pa.R.Crim.P. 212(A).
Criminal	Arrest Warrant Information.	A court may delay public access for good cause for up to 72 hours. In addition, a court may seal arrest warrant information for a longer period of time.	Pa.R.Crim.P. 513(C), Pa.R.Crim.P. 513.1.
Criminal	Motion filed by attorney for the Commonwealth to present the matter to an indicting grand jury and subsequent order.	No Public Access - the motion and order are sealed.	Pa.R.Crim.P. 556.2.

LIMITS ON PUBLIC ACCESS TO UNIFIED JUDICIAL SYSTEM CASE RECORDS

Subject Area	Record Description	Accessibility	Authority
Criminal	All indicting grand jury proceedings and related documents.	No Public Access. Disclosure may be granted to attorney for the Commonwealth, defendant in a criminal case, witnesses, law enforcement personnel, and upon motion when necessary.	Pa.R.Crim.P. 556.10
Criminal	Sealed indictments.	No Public Access.	Pa.R.Crim.P. 556.11(E).
Criminal	Sealed records concerning mental health experts.	No Public Access.	Pa.R.Crim.P. 569.
Criminal	Sealed written statements pertaining to protective orders.	No Public Access. The entire text of the statement shall be sealed and preserved in the records of the court to be made available to the appellate court(s) in the event of an appeal.	Pa.R.Crim.P. 573(F).
Criminal	Sealed plea agreement.	No Public Access.	Pa.R.Crim.P. 590.
Criminal	Juror qualification forms.	No Public Access.	Pa.R.Crim.P. 625(A)(3).
Criminal	Juror information questionnaires.	No Public Access. Questionnaires are retained in a sealed file and shall be destroyed upon completion of the jurors' service, unless otherwise ordered by the trial judge.	Pa.R.Crim.P. 632.
Criminal	Sealed verdict.	No Public Access.	Pa.R.Crim.P. 649.
Criminal	Notes taken by jurors.	No Public Access.	Pa.R.Crim.P. 644(B)(7).
Criminal	Pre-sentence reports and related psychiatric psychological reports.	No Public Access.	Pa.R.Crim.P. 703(A).

LIMITS ON PUBLIC ACCESS TO UNIFIED JUDICIAL SYSTEM CASE RECORDS

Subject Area	Record Description	Accessibility	Authority
Criminal	Records revealing the names of human trafficking victims.	No Public Access, unless otherwise ordered by a court in a prosecution involving a victim of human trafficking.	18 Pa.C.S. § 3019(a).
Criminal	Wiretap applications, final reports and orders.	No Public Access except upon showing of good cause before a court of competent jurisdiction.	18 Pa.C.S. § 5715.
Criminal	Names of minor victims of sexual or physical abuse.	No Public Access. Records revealing a victim's name are sealed. A minor victim who is 18 years of age or older at the time of the commencement of the prosecution may waive this protection and allow the court to release the name of the minor victim.	42 Pa.C.S. § 5988.
Domestic Relations	Information regarding the registration, filing of a petition for, or issuance of a protection from abuse in either the issuing or enforcing State.	No Public Access via internet publication, if such publication would be likely to publically reveal the identity or location of the protected party.	18 U.S.C. § 2265(d)(3).
Domestic Relations	Social security number of any individual subject to a divorce decree, support order, paternity determination, or acknowledgement of paternity, which is required in all records of those matters.	No Public Access.	23 Pa.C.S. § 4304.1(a)(3).

LIMITS ON PUBLIC ACCESS TO UNIFIED JUDICIAL SYSTEM CASE RECORDS

Subject Area	Record Description	Accessibility	Authority
Domestic Relations	Child Support Records	No Public Access, except for PACSES dockets, court orders and opinions.	42 U.S.C. §§ 654 (26)(A), 654a(d)(1)(A); 45 CFR §§ 303.21(c)-(d), 307.13(a)(1); 23 Pa.C.S. §4304.1(d); Sections 2.4 and 3.4 of the Cooperative Agreement.
Domestic Relations	<p>(a) Subject to any inconsistent general rules and to the supervision and direction of the court, the domestic relations section shall have the power and duty to:...</p> <p>(10) Implement safeguards applicable to all confidential information received by the domestic relations section in order to protect the privacy rights of the parties, including:...</p> <p>(ii) prohibitions against the release of information on the whereabouts of one party or the child to another party against whom a protective order with respect to the former party or the child has been entered; and</p> <p>(iii) prohibitions against the release of information on the whereabouts of one party or the child to another person if the domestic relations section has reason to believe that the release of the information may result in physical or emotional harm to the party or the child.</p>	No Public Access.	23 Pa.C.S. § 4305 (a)(10)(ii)-(iii).

LIMITS ON PUBLIC ACCESS TO UNIFIED JUDICIAL SYSTEM CASE RECORDS

Subject Area	Record Description	Accessibility	Authority
Domestic Relations	List of weapons ordered to be relinquished by the defendant in an action for protection from abuse.	No Public Access, except (A) upon an order of the court granted upon cause shown; (B) as necessary, by law enforcement and court personnel; or (C) after redaction of information listing any firearm, other weapon or ammunition.	23 Pa.C.S. § 6108(a)(7)(v).
Domestic Relations	All records pertaining to a confidential address for individuals participating in the Office of Victim Advocate's Address Confidentiality Program.	No Public Access, except for the substitute address provided by the Office of Victim Advocates.	23 Pa.C.S. § 6703(d); <i>see also</i> 23 Pa.C.S. § 5336(b)(1).
Juvenile Court	Juvenile Dependency and Delinquency records.	No Public Access; except as set forth in 42 Pa.C.S. § 6307, Pa.Rs.J.C.P. 160 and/or 1160, including with leave of court.	42 Pa.C.S. § 6307; Pa.Rs.J.C.P. 160, 1160.
Orphans' Court	Proceedings related to appointment of guardianship for incapacitated persons.	Shall be closed to the public upon request of the alleged incapacitated person or his counsel. After the individual's death his/her estate may access the record of the guardianship proceedings.	20 Pa.C.S. § 5511(a); <i>In re Estate of duPont</i> , 2 A.3d 516 (Pa. 2010).
Orphans' Court	Records required for foreign adoption decrees.	No Public Access unless a court order is granted upon good cause.	23 Pa.C.S. § 2908(F); Pa.O.C.R. 15.7.

LIMITS ON PUBLIC ACCESS TO UNIFIED JUDICIAL SYSTEM CASE RECORDS

Subject Area	Record Description	Accessibility	Authority
Orphans' Court	Adoption records.	No Public Access unless otherwise ordered.	23 Pa.C.S. § 2915; <i>see also</i> 23 Pa.C.S. § 2906; Pa.O.C.R. 15.7.
Orphans' Court (Family Court in Philadelphia County or Juvenile Court Section of Family Division in Allegheny County Pa.R.J.A. 2157)	Applications of a minor for judicial approval of decision to have an abortion, under the Abortion Control Act, as well as proceedings and the name of the minor.	No Public Access; sealed dockets, and documents shall be maintained in a closed file marked "confidential" and identified by case number only.	18 Pa.C.S. § 3206(f); Pa.O.C.R. 16.2 and 16.6. Note also Pa.R.J.A. No. 2157 and Pa.R.A.P. 3801.
General	For certain offenses graded as a misdemeanor of the second or third degree, any information relating to the conviction, arrest, indictment or other information leading to the conviction, arrest, indictment or other information.	No public access. The court shall not release the information to an individual, noncriminal justice agency or an internet website.	18 Pa.C.S. § 9122.1 and amends 18 Pa.C.S. § 9121.
General	Records concerning persons in treatment under the Mental Health Procedures Act.	Limited Public Access in compliance with the Mental Health Procedures Act and controlling case law.	50 P.S. § 7111.
General	Court documents, rules, or orders in Gaming Law proceedings.	Any party may request proceeding and record to be sealed if in best interest of any person or Commonwealth.	4 Pa.C.S. § 1518.2(b).
General	Proceedings and records involving juveniles charged with a summary offense before the minor judiciary, the Philadelphia Municipal Court or a Court of Common Pleas.	No Public Access.	42 Pa.C.S. §§ 6303(c), 6307(c), and 6336(g).

LIMITS ON PUBLIC ACCESS TO UNIFIED JUDICIAL SYSTEM CASE RECORDS

Subject Area	Record Description	Accessibility	Authority
General	Transcript of proceedings in the judicial districts within the Unified Judicial System.	A court may order the person preparing the transcript to redact confidential, personal and/or financial data and other identifiers and information listed in Section 7.0 of the Case Records Public Access Policy of the Unified Judicial System.	Pa.R.J.A. No 4014.

*Note this may not be a complete listing; the public and court staff are directed to consult federal and state statutes, court rules or case law.

EXHIBIT “E”

REQUEST FOR ACCESS FORM



Case Records Public Access Policy of the Unified Judicial System of Pennsylvania
204 Pa. Code § 213.81
www.pacourts.us/public-records

DATE OF REQUEST: _____

REQUESTOR INFORMATION:

NAME: _____ DAYTIME TELEPHONE NUMBER: () _____

ADDRESS: _____

EMAIL ADDRESS: _____ FAX NUMBER: () _____

REQUESTING CASE RECORD FROM:

<input type="checkbox"/> Supreme Court	<input type="checkbox"/> Superior Court	<input type="checkbox"/> Commonwealth Court
<input type="checkbox"/> Court of Common Pleas	<input type="checkbox"/> Philadelphia Municipal Court	<input type="checkbox"/> Magisterial District Court

DESCRIBE INFORMATION REQUESTED: (See instructions on following page)

<i>Official Use Only</i>	CHARGE	Comments
<i>Date Received</i> _____	_____	
_____	_____	
<i>Tracking Number (if applicable)</i>	Total Cost	

REQUEST FOR ACCESS FORM



INSTRUCTIONS FOR OBTAINING A CASE RECORD

1. A requestor shall identify or describe the record sought with specificity to enable the custodian to ascertain which record is being requested.
2. The completed form shall be submitted to the appropriate custodian. Incomplete forms may result in delayed access to the requested record.
3. The requestor may be charged reasonable fees for access to court records. Fees for duplication by photocopying or printing from electronic media or microfilm shall not exceed \$0.25 per page, unless otherwise provided by applicable authority.
4. Requests will be completed as promptly as possible under the circumstances existing at the time of the request. If the custodian cannot fulfill the request promptly or at all, the custodian shall inform the requestor of the specific reason(s) why access to the information is being delayed or denied.
5. If a request is denied by the custodian, relief may be sought by filing a motion or application with the court for which the custodian maintains the records. If a request is denied by a magisterial district court, relief may be sought by filing an appeal with the president judge of the judicial district or the president judge's designee. If a request is denied by the Philadelphia Municipal Court, relief may be sought by filing a motion with the president judge of Philadelphia Municipal Court or the president judge's designee.

For Court Use Only

Your request was received on ___/___/___ . In accordance with the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*, please be advised that:

- this request is being returned to you because it does not contain sufficient information to evaluate your request. No further action will be taken unless you resubmit the request with additional information.
- the information/record does not exist.
- the information/record is not a case record as defined by the Policy.
- you have failed to properly complete the Request Form.
- Other _____

Signature

Date

EXHIBIT “F”

**REQUEST FOR CORRECTION
OF CLERICAL ERRORS**



Case Records Public Access Policy of the Unified Judicial System of Pennsylvania
204 Pa. Code § 213.81
www.pacourts.us/public-records

Requestor Information:

Name: _____

Attorney No. (if applicable): _____

Address: _____

Phone Number: _____

Email Address: _____

Fax Number: _____

I am: A party to the case.

An attorney for a party to the case.

Case caption of the case record:

Docket number of the case record:

Set forth in specificity the information that is alleged to be a clerical error, as defined in the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*. Attach additional sheets if necessary.

Set forth in specificity sufficient facts, including supporting documentation, that corroborates your allegation. Attach additional sheets if necessary.

I, _____, verify that the facts set forth in this form are true and correct to the best of my knowledge or information and belief. This statement is subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities.

Signature of Requestor: _____ Date: _____

NOTE: A request to correct a clerical error in a case record of the Supreme Court, Superior Court or Commonwealth Court shall be submitted to the prothonotary of the proper appellate court. A request to correct a clerical error in a case record of a court of common pleas, magisterial district court, or Philadelphia Municipal Court shall be submitted to the applicable custodian. You shall provide a copy of this completed form to all parties to the case.

**REQUEST FOR CORRECTION
OF CLERICAL ERRORS**



For Custodian Use Only

Please be advised that your request was received on ___/___/___, In accordance with the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*, please be advised that:

- the request does not contain sufficient information and facts to determine what information is alleged to be in error, and no further action will be taken on the request.
- the request does not concern a case record that is covered by this policy, and no further action will be taken on the request.
- a clerical error does exist in the case record and the information in question has been corrected.
- a clerical error does not exist in the case record.
- the request has been received and an additional period not exceeding 30 business days is necessary to complete a review of the request.

Comments:

Signature: _____ Date: _____

If an additional period of time not exceeding 30 business days was necessary to complete the review of the request, please be advised that:

- this request is being returned to you because it does not contain sufficient information to evaluate your request. No further action will be taken unless you resubmit the request with additional information.
- this request is being returned to you because it does not concern a case record. No further action will be taken on this matter.
- it was determined a clerical error existed in the case record, and the information has been corrected.
- it was determined a clerical error does not exist in the case record.

Comments:

Signature: _____ Date: _____

For Use by Requestor

Unless applicable authority requires otherwise, please follow the following procedure. This procedure cannot be used to correct alleged inaccuracies in orders and judgments. If you wish to seek review of the decision set forth above, please complete this section and submit this entire form to the custodian within 10 business days of the mailing date of the response. The custodian will submit the form to the judge(s) who presided over the case for review. If the request for review concerns a magisterial district court's decision, it shall be reviewed by the president judge or his/her designee.

I, _____, request that a review of the decision set forth above be made.

Signature: _____ Date: _____

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

IN RE: ADOPTION OF RULE 205.4 : NO. 17-005120
:
:
Electronic Filing and Service of :
Legal Papers in Delaware County :

ADMINISTRATIVE ORDER

AND NOW, this 5th day of June, 2018, it is hereby **ORDERED** that Delaware County Local Rule 205.4 for the Electronic Filing and Service of Legal Papers is **ADOPTED**.

This local rule (205.4) **SHALL** be effective upon publication on the Pennsylvania Unified Judicial System (UJS) web portal at <https://ujportal.pacourts.us/>.

Use of the Delaware County Electronic Filing System **SHALL** commence on Monday, July 30, 2018, at 8:30 AM, as provided by local Rule 205.4, unless otherwise ordered by this court.

BY THE COURT:

Kevin F. Kelly,

R.J.

DELAWARE COUNTY LOCAL RULE 205.4

(a) (1) Commencement

- (i) On the commencement date, all parties may electronically file all "legal papers" as defined in Pa.R.C.P. No. 205.4 (a)(2), with the Office of Judicial Support through Delaware County's Electronic Filing system as more specifically provided in Pennsylvania Rule of Civil Procedure No. 205.4 and Delaware County Civil Rule 205.4,
- (ii) Ninety (90) days from the commencement date, parties shall electronically file all "legal papers" as defined in Pa.R.C.P. No. 205.4 (a)(2), with the Office of Judicial Support through Delaware County's Electronic Filing system as more specifically provided in Pennsylvania Rule of Civil Procedure No. 205.4 and Delaware County Civil Rule 205.4.

Explanatory Note: The term "legal paper" as defined in Pa.R.C.P. No. 205.4(a)(2) encompasses all pleadings and all other papers filed with the Office of Judicial Support – including exhibits and attachments – even if the legal papers are not adversarial in nature and do not require the non-filing party or parties to respond.

(2) As used in this rule the following words shall have the following meanings:

CMS (Case Management System): A Court case management system manages the receipt, processing, storage and retrieval of data associated with a case and performs actions on the data.

Electronic Filing (E-Filing): The electronic transmission, acceptance and processing of a filing. A submission consists of data, one or more documents, and/or images. The definition of electronic filing does not apply to facsimile or e-mail.

Electronic Service (E-Service): The electronic transmission of an original document to all other electronically-registered case participants via the electronic filing system. Upon the completion of any transmission to the electronic filing system, an electronic receipt shall be issued to the sender acknowledging receipt by the electronic filing system.

EFS : Delaware County Electronic Filing System.

(b) (1) Authorized Electronic Format of Legal Papers Electronically Filed

All legal papers shall be filed in a portable document format ("pdf"). A legal paper presented for filing in hard copy or in a format other than portable document format shall be converted to a portable document format and maintained by the Office of Judicial Support pursuant to Pa. R.C.P. 205.4 (b)(1)

- (2) This Rule shall not apply to legal papers related to actions in Support as defined in Pa.R.C.P. 1910.1 through 1910.50 and 1930.1 through 1940.9, Custody, Partial Custody and Visitation of Minor Children under Pa. R.C.P. 1951.1, Special Relief under Pa. R.C.P. 1913.13 or Actions for Divorce or for the Annulments of Marriage under Pa. R.C.P. 1920.1; Protection from Abuse under Pa. R. C. P. 1901.3; Protection of Victims of Sexual Violence or Intimidation under Pa. R.C.P 1951; Petition for Writ of Seizure pursuant to Pa. R. C. P. 1075; Petition to Postpone Sheriff's Sale Pa.R.C.P. 3132; Petition to Appoint a Constable. ; Claim of Exemption pursuant to Pa.R.C.P. 3123.1; Appeal from Denial of Right to Know Request under Pa.R.J. A. 509. This rule shall also not apply to certified zoning records which

include blueprints and/or plot plans under Delaware County Local Rule 27. *Motions or petitions seeking relief in emergency situations, injunctive relief or stay of proceedings shall not be filed through the EFS system but shall be taken to the Office of Judicial Support to be time-stamped, processed, and docketed and then brought by the party seeking the emergency relief or the stay of proceedings to the Court Administrator for reference to the appropriate judge.*

(2) Website. Access to the Website

- (i) Website. All legal papers shall be filed electronically through Delaware County's Electronic Filing system Electronic Filing system "EFS" which shall be accessible through the County of Delaware website <http://www.co.delaware.pa.us/ojs/efile.html> or at such other website as may be designated from time to time.
- (ii) Use of the EFS shall be in accordance with the local rule and instructions contained on the website.
- (iii) Access to the Website. To obtain access to the Delaware County Electronic Filing System, counsel and self-represented litigant must apply for and receive a User Name and Password.
- (iv) Registered users shall be individuals, and not law firms, agencies, corporations nor other groups.
- (v) User access may be suspended to prevent fraud, to maintain security of the system and network, to prevent an unacceptable level of congestion, or to prevent a disruption to the EFS or another user.

(d) (1) Payment of Filing Fees under the EFS system.

- (i) The Office of Judicial Support will accept for payment of all filing fees through PayPal.
- (ii) The Office of Judicial Support will not accept advance deposits for future filings.

(e) Reserved

(f) (1) Filing Status Messages

- (i) Upon receipt of the electronic document, the Office of Judicial Support shall provide the filing party with an acknowledgment, which includes the date and time the document was received by the Delaware County Electronic Filing system.
- (ii) After review of the electronic document, the Office of Judicial Support shall provide the filing party with e-mail notification, or notification on the Delaware County Electronic Filing System, that the document has been accepted for filing ("filed") or refused and not accepted for filing.

(2) Official Record

- (i) When an electronic document is accepted, the document is the official record.

(3) Signatures and Verifications

- (i) The electronic filing of documents utilizing the issued User Name and Password as provided by this rule and Pa.R.C.P. No. 205.4, constitutes the party's signature on electronic documents as provided by Pa.R.C.P. No. 1023.1 and, if the filing party is an attorney, constitutes a certification of authorization to file it as provided in Pa.R.C.P. No. 205.1.
- (ii) The electronic document filed by a party must include a signature block, and the name of the filer under whose User Name and Password the document is submitted. The document may be submitted with the filer's scanned signature or "/s/" and the filer's name typed in the space where the signature would otherwise appear on the document.
- (iii) If an attorney is the filing party, the Pennsylvania Supreme Court Attorney Identification number must be included under the signature line. The correct format for an attorney signature is as follows:

/s/ Attorney name
Pa Supreme Court ID#
Attorney for (Plaintiff/Defendant) XYZ Corporation
ABC Law Firm
ADDRESS
TELEPHONE NUMBER
FAX NUMBER - (FAX)
E-MAIL ADDRESS

- (iv) An authorized electronic filer must not allow their user name and password to be used by anyone other than an agent who is authorized by the electronic filer.
- (v) Electronic filers shall notify the Office of Judicial Support's Help Desk immediately if there has been any unauthorized use of their EFS user name and password.
- (vi) The Verification required by Pa.R.C.P. Nos. 206.1 and 1024 and the signature page(s) of any document or legal paper executed by a client or other persons other than the filing party must be scanned and attached to the electronic filing in a portable document format at the time the legal paper is submitted.
- (vii) Documents requiring signatures of more than one party must be scanned and attached to the electronic filing in a portable document format at the time the legal paper is submitted.
- (viii) The original of a sworn or verified document that is electronically filed (e.g. affidavit) or is contained with 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.

Explanatory Note: This subsection is designed to address issues which may arise regarding signatures on legal documents. A filer's use of the User Name and Password issued through the Delaware County Electronic Filing System is the filer's "electronic signature". However, legal documents often require verifications executed by non-filers. In addition, many legal documents require multiple signatures. Deficiencies in content and execution could be subject to preliminary objections. In order to avoid prejudicial delay, this section requires the filing party to scan such legal documents or signature pages and include them as part of the electronic filing at the time of submission. Original copies should be kept as provided for in Pa.R.C.P. No. 205.4 (b)(4).

(4) Electronic Filing Fees and Costs.

- (i) The Office of Judicial Support shall collect an electronic filing user fee for each legal paper or exhibit filed as established by the Office of Judicial Support with the approval of the President Judge of the Delaware County Court of Common Pleas.
- (ii) In addition to such electronic filing user fee, the Office of Judicial Support is authorized to charge a fee as set forth 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 by the Office of Judicial Support to a portable document format.
- (iii) Electronic filers shall alert the EFS to any payment errors within forty-five (45) days of the payment date by notifying the Office of Judicial Support's Help Desk.

(5) Other Procedures Necessary to the Operation of a System of Electronic Filing: authorized by Pa.R.C.P. No. 205.4 (f), the following administrative procedures are adopted:

- (i) If a document is accepted, it shall be deemed to have been filed as of the date and time it was received by the Delaware County Electronic Filing System; provided, however, that if a document is submitted without the requisite fee, the document shall be deemed to have been accepted for filing as of the date payment was received. The Office of Judicial Support is authorized to refuse for filing a document submitted without the requisite payment. If the electronic document other than original process is accepted for filing, it will be electronically served as authorized by Pa.R.C.P. No. 205.4(g)(1)(ii) and service shall be effectuated as provided in Pa.R.C.P. No. 205.4(g)(2)(ii).
- (ii) *Termination Notice.* In addition to the procedures set forth in Pa.R.C.P. No. 230.2, in cases where a party is a registered user of the Delaware County Electronic Filing System, notice of proposed termination may also be electronic.
- (iii) An electronic filer is not required to file any paper copies unless specifically required by the court.

Note: In addition to the electronic paper, a Judge may request counsel or a self-represented litigant to provide a courtesy copy of a pleading(s) or other such material including but not limited to a memorandum of law, a pre-trial binder for the Court including relevant pleadings, a pre-trial memo, if any, stipulations and pre-labeled exhibits which may be useful to a Judge in preparation for trial. The Court may also request courtesy motions, petitions and answers to such pleadings from time to time.

- (iv) An electronic filer is not required to file multiple copies of documents unless requested by the Court, or as specified elsewhere in these local rules. If documents are to be served electronically, the electronic filer is not required to provide envelopes, unless requested by the Court or as specified elsewhere in the local rules, except for those parties who are to receive the document by regular mail or other means of service as required by other rules.
- (v) Electronic filing is permitted at all times when the EFS is available. If the EFS is unavailable at the time a registered user attempts to file a document, the registered user shall make reasonable efforts to file the document as soon as the unavailability ends.
- (vi) If a registered user believes the unavailability of the EFS prevented a timely filing to the party's prejudice, the registered user may submit a motion to the court within ten (10) days of the registered user's unsuccessful attempt to file the document. The motion shall state the date and time of the first unsuccessful attempt to file the document electronically, the date(s) and time(s) of any subsequent attempts to file the document electronically, and why the delay was prejudicial.
- (vii) The filing deadline for any document filed electronically is 11:59:59PM EST/EDT.
- (viii) *Documents with Attachments.* Attachments, including exhibits, that are part of any filing, shall be filed electronically at the same time as the document.
- (ix) An attachment or exhibit that exceeds the technical standards for the EFS or is unable to be electronically filed must be filed as ordered by the court. A Notice of Exhibit Attachment shall be filed in the EFS referencing such an exhibit with specifically and stating the reason why the exhibit was not filed electronically.
- (x) The Court may, on its own motion or for good cause shown, order a filing be made under seal. Filings requested to be made under seal shall be submitted to the Office of Judicial Support over the counter rather than through EFS.
- (xi) Sealed or confidential documents may be submitted for electronic filing in a manner that maintains confidentiality under applicable law.
- (xii) Filings not under seal are public and parties shall comply with the Public Access policy related to case records of the Appellate and Trial Courts of the Unified Judicial System of Pennsylvania under 204 Pa. Code 213.81 and Delaware County Administrative Rule No. 17-5120 .

Note: As required by Pa.R.C.P. No. 205.4(c)(1), access to the Delaware County Electronic Filing System shall be available at all times, except for required maintenance. However, legal papers can only be reviewed during normal court hours. Therefore, parties are cautioned to file required legal papers in advance of any filing deadline to enable timely correction and re-submission in the event a legal paper is not accepted or is refused for filing. The Office of Judicial Support may refuse for filing any legal paper submitted without the required filing fees as provided by 42 Pa.C.S. § 1725(c)(2)(xix), or, at the Office of Judicial Support's discretion, may authorize the filer to submit the required filing fees within a stated time period after which the Office of Judicial Support may refuse the legal paper for filing if payment is not received.

- (6) If a legal paper is refused for filing, the Office of Judicial Support shall specify the reason. Subject to the provisions of subsection Rule 205.4(e)(1)(i), a legal paper refused for filing shall be deemed as not having been filed.
- (7) Neither the Court nor the Office of Judicial Support are required to maintain a hard copy of any legal paper or exhibit, notice, or order filed or maintained electronically under this rule.
- (8) If a legal paper is electronically filed, the Delaware County Civil Electronic Filing System will automatically serve all persons who have previously submitted electronic filings in the same case, pursuant to Delaware County Civil Rule *205.4 and Pa. R.C.P. No. 205.4 (g) but the filing party must serve all others as required by rules of Court. All legal papers filed in a hard-copy format must be served by the filing party as required by rules of court.

Note: A party has the responsibility of providing legal papers and other correspondence to the Delaware County Sheriff's Office for service of original process pursuant to Pa. R.C.P. 400-425 The Delaware County Electronic Filing Service or CMS program does not encompass the Delaware County Sheriff's Office.

- (9) Documents shall use the universal PDF standard and shall be no more than 25 megabytes (mb). Files that exceed this limit must be split into multiple files so that each individual file is less than 25 megabytes (mb).
- (10) Color shall be Black and White, resolution of 300 dpi. If a filer has a document that is color or greystroke, the document shall not be filed electronically but must be submitted to the Office of Judicial Support.
- (11) All pleadings must conform to Pennsylvania Rule of Civil Procedure 204.1 (1) so that the size of the document be 8 ½ inch by 11 inch paper.
- (12) Any font that is not part of the Microsoft default font list must be embedded in the PDF document
- (13) PDF properties (Title, Author, Subject, and Keywords) should be removed from the document. Documents cannot be password protected or encrypted. Documents names shall not include any special characters such / ; * ? " < >

(g) (2) Service by Electronic Transmission

- (i) Service shall be made to registered users through the EFS and to all others as otherwise provided in the Pennsylvania Rules of Civil Procedure. Service by the EFS is complete upon transmission on a Saturday, a Sunday, a holiday recognized by Delaware County, or after 5:00PM EST/EDT, shall be considered complete on the next day that is not a Saturday, Sunday or recognized Delaware County holiday.
- (ii) Other than original service, the electronic filer shall not be required to serve a paper copy of the electronic filing on the opposing party if the opposing party is a registered user on the EFS and the electronic filing has been served on them through the EFS.

- (h) An AOPC Civil Court Cover Sheet pursuant to Pa.R.C.P No. 205.5 shall be required and must be scanned separately from the original pleading

Note: The following documents may be filed through the EFS system. The Office of Judicial Support, once accepted, will forward the document to Court Administration for review and processing:

(1) Certificate of Readiness pursuant to Local Rule 241; (2) Debtor's Exemption under Local Rule 3123; (3) Application for Continuance in arbitration cases pursuant to Delaware County Local Rule 1303 (f) or for a hearing related to a petition or motion (Local Rule 206.1 (a)(1) and 208.3 (b)(1)); (4) License Suspension Appeal (Local Rule 29); (5) Tax Assessment Appeal (Local Rule 30); (6) Board of View (Local Rule 622 (k)); and (8) Request for Extension pursuant to Local Rule 1028.

Once filed through the EFS system, the document will be processed by the Court Administrator and notice of the outcome and/or a hearing date, if any, will be sent electronically to the filing party. The party requesting a continuance shall provide advance notice to all parties in a case, state if the continuance is opposed or unopposed, and be responsible to notify all parties of the outcome of the request prior to a listed hearing or event.

Applications for Continuance in assigned cases may be filed electronically at the Court's discretion subject to the assigned judge's guidelines.

Motions or petitions seeking relief in emergency situations or stay of proceedings shall not be filed through the EFS system but shall be taken to the Office of Judicial Support to be time-stamped, processed, and docketed and then brought by the party seeking the emergency relief or the stay of proceedings to the Court Administrator for reference to the appropriate judge.

Note: This rule is adopted as required by Pa.R.C.P. No. 239.9.