

RULE 205.4 - ELECTRONIC FILING AND SERVICE OF LEGAL PAPERS

(a) (1) Electronic Filing Required.

(i) The mandatory electronic filing of legal papers with the Monroe County Prothonotary for the Court of Common Pleas, 43rd Judicial District, is authorized in accordance with Pa.R.Civ.Pro. Nos. 205.4 and 239.9, 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.

(ii) Case Types.

1. Electronic filing applies to any legal papers filed in any of the following types of actions:

- a. Tort
- b. Mass Tort
- c. Professional Liability
- d. Contract
- e. Real Property
- f. Custody
- g. Divorce
- h. Civil Appeal
- i. Miscellaneous

2. Electronic filing also applies to the following types of non-

reportable initial filings:

- a. Agreement
- b. Judgment
- c. Lien
- d. Municipal Lien
- e. Writ

(b) (1) Form of Documents Electronically Filed.

- (i) **Format.** Legal papers shall be presented for filing in portable document format (“PDF”). A paper electronically filed in a format other than a PDF shall be converted to PDF and maintained by the Prothonotary in that format. In the event any legal paper or exhibit is presented in hard copy for filing, the Prothonotary shall convert such legal paper to, and maintain such legal paper as, a PDF and shall return the hard copy to the filing party for retention in accordance with Pa. R.C.P. No. 205.4(b)(4).

(c) (2) Designated Website and Registration.

- (i) The designated website for electronic filing is the Monroe County, Pennsylvania C-Track E-Filing Portal, which can be found by clicking on the “e-File” link on the Court’s website (<http://www.monroepacourts.us/>).
- (ii) All electronic filers, including counsel and self-represented litigants, must register with the C-Track E-Filing Portal by clicking on the “Register as an E-Filer” link at the bottom of the C-Track E-Filing Portal website in order to access the C-Track E-Filing Portal.
- (iii) Use of the C-Track E-Filing Portal shall be in accordance with the C-Track E-Filing Portal user manual (which can be found by clicking on the “e-File”

link on the Court's website), this local rule, and all instructions contained on the C-Track E-Filing Portal website.

- (iv) Registered users shall be individuals, and not law firms, agencies, corporations, or other groups.

(d) (1) Credit and Debit Cards Approved for E-Filing.

- (i) The C-Track E-Filing Portal works in conjunction with PayPal for payment of all filing fees. All credit and/or debit cards or payment options accepted by PayPal shall be accepted by the Monroe County Prothonotary's Office for payment of any filing fee. The Prothonotary will not accept alternate payment in advance of filing.

(e) Reserved.

(f) (1) Filing Status Messages.

- (i) Upon receipt of an electronic filing, the Prothonotary's Office shall provide the filing party with an e-mail notification, or automated notification from the C-Track E-Filing Portal, which includes the date and time the document was received by the C-Track E-Filing Portal.
 - (ii) After review of the electronic filing, the Prothonotary's Office shall provide the filing party with a second e-mail notification, or automated notification from the C-Track E-Filing Portal, that the document has been accepted for filing ("filed") or refused and not accepted for filing and the reason.
- (2) **Official Record.** When an electronic document is accepted by the Prothonotary's Office, the electronic document is considered part of the

official record. The Prothonotary's Office is not required to maintain hard copies of any electronically filed document.

- (3) **Security for Confidential Documents.** When an electronic filer files a document that should be marked "confidential" or otherwise secured, the filer shall indicate such required security at the time of their filing submission through the prompts on the C-Track E-Filing Portal.
- (4) **Fees.** All electronic filing fees and costs shall be submitted and collected according to subsection (d)(1) of this Rule.
- (5) **Other Procedures Necessary to the Operation of a System of Electronic Filing.**
 - (i) **Acceptance and Service.** 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 C-Track E-Filing Portal; provided, however, that if a legal paper is submitted without the requisite fee, the legal paper shall be deemed to have been accepted for filing as of the date payment was received. The Prothonotary is authorized to refuse for filing a legal paper submitted without the requisite payment. If the pleading or legal paper other than original process is accepted for filing, it will be electronically served as authorized by Pa.R.Civ.Pro. 205.4(g)(1)(ii) and service shall be effectuated as provided in Pa.R.Civ.Pro. 205.4(g)(2)(ii).
 - (ii) **Termination Notice.** In addition to the procedures set forth in Pa.R.Civ.Pro. 230.2, in cases where a party is a registered user of

the C-Track E-Filing Portal on a case listed for proposed termination, notice of proposed termination may also be electronic.

(iii) **Paper Not Required.** An electronic filer is not required to file any paper copies unless specifically required by the court.

(iv) **Documents and Attachments.** Attachments, including exhibits, that are a required part of any filing, shall be filed electronically at the same time as the legal paper.

1. An attachment or exhibit that exceeds the technical standards for the C-Track E-Filing Portal or is unable to be electronically filed must be filed as ordered by the court. A Notice of Exhibit Attachment shall be filed on the C-Track E-Filing Portal referencing such an exhibit with specificity and stating the reason why the exhibit was not filed electronically.

(v) **Public Access Policy.**

1. Counsel and self-represented 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 Prothonotary 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. The PUBLIC ACCESS POLICY and *Confidential Information Form* can be found at the Administrative Office of Pennsylvania Courts website (www.pacourts.us) as well as the Monroe County Court website (www.monroepacourts.us).

2. **Confidential Filings.** Confidential filings may be submitted for electronic filing in a manner that maintains confidentiality under applicable law. Confidential data may be collected on the C-Track E-Filing Portal and may be viewed by authorized personnel while being protected from public view.
3. **Sealed Filings.** 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 in a paper format to the Prothonotary's Office rather than through the C-Track E-Filing Portal.

(g) Service by Electronic Transmission.

- (i) The C-Track E-Filing Portal will automatically distribute a copy of any legal paper filed in a case to each registered C-Track user who has entered his or her appearance in that case and has been selected by the electronic filer to receive electronic service. Such automatic distribution by the C-Track E-Filing Portal of electronically filed legal papers other than original process constitutes service in accordance with the Pennsylvania Rules of Civil

Procedure. The electronic filer must serve the electronically filed legal papers upon any opposing parties or attorneys who are not registered users of the C-Track E-Filing Portal in accordance with the Pennsylvania Rules of Civil Procedure.

- (ii) Service through the C-Track E-Filing Portal upon transmission on a Saturday, a Sunday, a holiday recognized by Monroe County, or after 5:00 PM EST/EDT, shall be considered complete on the next day that is not a Saturday, Sunday or recognized Monroe County holiday.
- (iii) Establishment as a registered user of the C-Track E-Filing Portal constitutes consent to participate in electronic filing, including acceptance of service electronically of any document, other than original process, filed on the C-Track E-Filing Portal in any type of civil proceeding that permits electronic filing.

(h) Civil Cover Sheets Not Required. Civil and Family Court Cover Sheets are not required in the C-Track E-Filing Portal. All required data will be collected through the C-Track E-Filing Portal for transmission to the Administrative Office of Pennsylvania Courts as required by Pa.R.Civ.Pro. 205.5.