

**OFFICE OF THE PROTHONOTARY
LANCASTER COUNTY, PENNSYLVANIA**

**ADMINISTRATIVE PROCEDURES
FOR ELECTRONIC FILING**

The following terms in this Rule shall be defined as follows:

“Electronic Service” (e-service) means the electronic transmission of documents to a party, attorney or representative under these rules. Electronic service does not include service of process or summons to gain jurisdiction over persons or property.

1. Registration and Fees for Electronic Filing

(a) *Scope.* Civil Actions filed in the Court of Common Pleas of Lancaster County may be filed by electronic filing or eFiling. Also, parties may electronically serve other Advanced File & Serve registered users of the system.

(b) *Registration.* Any person intending to use eFile must register with LexisNexis File and Serve.

(c) *Filing Fees.*

(i) Filing fees will be billed by LexisNexis using the billing arrangements established through the LexisNexis registration process.

(ii) Filing fees billed by LexisNexis shall include Prothonotary’s statutory filing fees.

2. Documents Electronically Filed.

Documents may be filed in electronic form, except that paper copies of any legal paper required by court rule or statute to be in paper form shall also be filed in the form required. In the case of original process filed to commence an action, the filing party shall provide a sufficient number of paper copies of an electronically filed document in order to permit service by the Sheriff.

3. Form of Documents Electronically Filed.

(a) *Format.* To the extent practicable it shall be formatted in accordance with the applicable rules governing formatting of paper documents, and in such other and further format as the Court may require from time to time. A document may exceed page limitation rules to a maximum of two (2) additional pages when the additional pages are attributed to the electronic conversion of filing process. The eFile system will automatically convert any filing to PDF format, but the original format will be available for downloading. The official record of the court is the PDF version.

(b) *Title of Documents.* The title of each electronically filed document shall include: (1) Party or parties filing the document; (2) Descriptive title of the document; (3) Party or parties against whom relief, if any, is sought, and (4) Nature of the relief sought (e.g. Defendant ABC Corporation's Motion for Summary Judgment Against Plaintiff Jones).

(c) *Signature.*

(i) Each electronically filed document shall be deemed to have been signed by the attorney or party 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 eFiled by an attorney shall also include the typed name, address, and telephone number of the attorney or unrepresented party filing such document. Attorneys shall include their Pennsylvania bar number. Each electronically filed declaration and affidavit shall be deemed to have been signed by the declarant or affiant if an attorney or party not represented by an attorney has authorized such filing. Documents containing signatures of third-parties (i.e., unopposed motions, affidavits, stipulations, etc.) may also be filed electronically by indicating in the original signatures are maintained by the filing party in paper-format.

(ii) The electronic filing of a legal paper constitutes a certification by the filing party that the original hard copy was properly signed and, where applicable, verified; and a certification as provided by the signature to a legal paper under Pa.R.C.P. 1023(b), the violation of which shall be subject to the sanction provided in Pa.R.C.P. 1023(c). The filing party shall maintain the original hard copy of the document filed. Any other party at any time may require the filing party to file the original hard copy by filing with the Prothonotary and serving upon the filing party a notice to file the original hard copy with the Prothonotary within fourteen days of the filing of the notice.

(d) *Filing Related Documents.*

Pleading seeking judicial action such as Proposed Orders shall be filed separately.

4. Sealed Documents.

(a) Documents intended to be filed under seal shall be designated by the filing party as "sealed" in the eFile system.

(b) The filing details and document title will appear in the eFile system. The document can be viewed only by the Court, the Prothonotary staff, the filer, and those case participants who received service of that particular document. A party that was not served with the document can see only the document title in the case details, however, that party is not able to open or view the document.

5. Time of eFiling and eService

(a) Any document filed electronically by 11:59 p.m. ET shall be considered eFiled with the court once the transmission is successfully completed ("authorized date and time") as recorded on the LexisNexis File & Serve System.

(b) Delivery of e-service documents through File and Serve to other registered users shall be considered as valid and effective service and shall have the same legal effect as an original paper document. Recipients of e-service documents shall access their documents through the File and Serve system.

(c) E-service shall be deemed complete when the transmission to LexisNexis is completed (“authorized date and time”).

(d) For the purpose of computing time to respond to documents received via e-service, any document served on a day or at a time when the court is not open for business shall be deemed served at the time of next opening of the court for business.

(e) Parties who register to use LexisNexis Advanced File & Serve consent to receive e-service documents, other than service of subpoenas or summons.

6. Public Access to the Docket

The Prothonotary shall make a Public Access Terminal available to the general public to allow access to the Court’s electronic case record in all eFiled cases. Copies made from the Court’s electronic case records shall be printed by the Prothonotary and copying fees will be charged in accordance with the Prothonotary’s usual fee schedule.

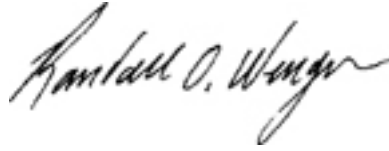
7. System or User Filing Errors

Parties should attempt to resolve filing and service errors based on technical failures amongst themselves. Otherwise, if the electronic filing is not filed and served with the Prothonotary because of (1) an error in the transmission of the document to LexisNexis which was unknown to the sending party, or (2) a failure to process the electronic filing when received by LexisNexis, or (3) rejection by the Prothonotary, or (4) other technical problems experienced by the filer, the Court may upon satisfactory proof enter an order permitting the document to be filed nunc pro tunc to the date it was first attempted to be sent electronically. Or in the case of service, the party shall, absent extraordinary circumstances, be entitled to an order extending the date for any response or the period within which any right, duty or other act must be performed.

8. Obligation of Registered eFile Users to Maintain Proper Delivery Information

Parties or attorneys who register to use the File & Serve system shall notify LexisNexis within ten (10) days of any change in firm name, delivery address, fax number or e-mail address.

OFFICE OF THE PROTHONOTARY

A handwritten signature in cursive script that reads "Randall O. Wenger".

Date: 6/24/2004

Randall O. Wenger
Prothonotary

Last Revision:
Draft October 29, 2003
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