



THE COURTS

Title 255--LOCAL COURT RULES

MONTGOMERY COUNTY

Rescission and Adoption of New Rule 205.4*--Electronic Filing and Service of Legal Papers

[38 Pa.B. 5595]

[Saturday, October 11, 2008]

Order

And Now, this 29th day of September, 2008, the Court rescinds Montgomery County Local Rule of Civil Procedure 205.4*--Electronic Filing and Service of Legal Papers, and approves and adopts the following Montgomery County Local Rule of Civil Procedure 205.4*--Electronic Filing and Service of Legal Papers. This new Rule shall become effective thirty days after publication in the *Pennsylvania Bulletin*.

The Court Administrator is directed to publish this Order once in the Montgomery County Law Reporter and in The Legal Intelligencer. In further conformity with Pa.R.C.P. 239, seven (7) certified copies of the within Order shall be filed by the Court Administrator with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) certified copy shall be filed with the Civil Procedural Rules Committee. One (1) copy shall be filed with the Prothonotary, one (1) copy with the Clerk of Courts, and (1) copy with the Court Administrator of Montgomery County, one (1) copy with the Law Library of Montgomery County and one (1) copy with each Judge of this Court.

By the Court:

RICHARD J. HODGSON,
President Judge

Rule 205.4*. Electronic Filing and Service of Legal Papers.

Rescinded.

Note--version of Local Rule originally adopted on January 18, 2002.

Rule 205.4*. Electronic Filing and Service of Legal Papers.

(a)(1) The Montgomery County Court of Common Pleas hereby permits the electronic filing of legal papers and the electronic service of such papers, under the terms described in this Local Rule.

(b)(1) All legal papers shall be presented for electronic filing in portable document format ("pdf"). As authorized by Pa.R.C.P. No. 205.4(b)(1), in the event any legal paper is submitted to the Prothonotary in a hard-copy format, the Prothonotary shall convert such legal paper to pdf and maintain it in that format. The Prothonotary shall return the hard-copy legal paper to the filing party for retention as required by Pa.R.C.P. No. 205.4(b)(4).

(c)(2) All legal papers that are filed electronically shall be filed through the Prothonotary's Electronic Filing System ("Electronic Filing System") which shall be accessible through the Montgomery County Prothonotary's web site, www.montcopa.org/prothy. To obtain access to the Electronic Filing System, counsel and any unrepresented party must apply to the Prothonotary's Office for a User Name and Password.

(d)(1) The Prothonotary will accept for payment of all filing fees the following credit and debit cards: American Express, Discover, MasterCard and Visa. The Prothonotary will not accept advance deposit on account of future filing fees.

(f)(1) Upon receipt of the legal paper, the Prothonotary shall provide the filing party with an acknowledgment, which includes the date and time the legal paper was received by the Electronic Filing System. The Prothonotary shall also provide the filing party with notice that the legal paper was accepted for filing. If a legal paper is not accepted upon presentation for filing or is refused for filing by the Electronic Filing System, the Prothonotary shall immediately notify the party presenting the legal paper for filing of the date of presentation, the fact that the document was not accepted or refused for filing by the system, and the reason therefor.

(2) Neither the Court nor the Prothonotary shall be required to maintain a hard copy of any legal paper, notice or order filed or maintained electronically under this rule.

[Pa.B. Doc. No. 08-1839. Filed for public inspection October 10, 2008, 9:00 a.m.]

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webmaster@PaBulletin.com

