

# THE COURTS

## Title 252—ALLEGHENY COUNTY RULES

### ALLEGHENY COUNTY

#### Orphans' Rule of the Court of Common Pleas; No. 3 of 2012 Rules Doc.

#### Order of Court

*And Now*, to-wit, this 7th day of May, 2012, *It Is Hereby Ordered, Adjudged and Decreed* that the following Rule of the Court of Common Pleas of Allegheny County, Pennsylvania, Orphans' Division, adopted by the unanimous proxy vote of the Board of Judges on April 30, 2012, shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*:

Rule 3.7 Electronic Filing of Legal Papers in Allegheny County

*By the Court*

DONNA JO McDANIEL,  
*President Judge*

**Allegheny County Court of Common Pleas  
Orphans' Court Division  
Electronic Filing Rule  
(Effective \_\_\_\_\_)**

#### Alleg. Co. O.C.Rule 3.7.

(1) *Authorization for Electronic filing.*

(a) Effective July 1, 2012, parties may file all legal papers with the Department of Court Records—Wills/Orphans' Court Division (DCR or Clerk) by means of electronic filing in Portable Document Format (".pdf").

(b) On July 1, 2012, in the event any legal paper or exhibit is submitted in hard-copy format, the Clerk shall convert such legal paper or exhibit into .pdf format without changing the content or physical format of the legal paper or exhibit, and shall accept the legal paper or exhibit for filing in .pdf.

(2) *Website, Free User Registration.*

(a) Website.—The Department of Court Records (DCR) Electronic Filing System shall be available at all times at the DCR website address, <http://dcr.alleghenycounty.us>, or such other website as the Court or DCR may designate from time to time.

(b) User Registration. Persons who wish to access the DCR's Electronic Filing System must first register and establish a User ID and Password using the "Register" link at the DCR Electronic Filing System website home page. The User ID for Pennsylvania-licensed attorneys is their Supreme Court of Pennsylvania Identification Number. Non-attorney users may, at the time of registration, designate any combination of fifteen (15) or less letters or numbers they may wish to use as a User ID. All users shall create a password of not less than seven (7) characters, including at least one number and one capital letter.

(3) *Electronic Filing of Legal Paper, Payment of Filing Fees.*

(a) All legal papers and exhibits submitted for electronic filing at the DCR website shall be in .pdf format.

(b) In the event an exhibit is not available in .pdf and the filing party is unable to convert the exhibit to .pdf, the filing party shall submit the exhibit via facsimile to the facsimile number provided on the DCR website. The facsimile transmittal shall include the docket number of the case and the name of the pleading to which the exhibit(s) is to be appended.

(c) The Clerk shall retain or maintain and print out a hard copy of any legal paper or exhibit filed electronically under this rule.

(d) The original hard copy of any legal paper offered for electronic filing shall be signed and verified as required by law or rule of court prior to the electronic filing and the filing party shall retain the original hard copy as required by Pa.O.C.R. 3.7(b)(4) and 3.7(c)(3).

(e) The following credit and debit cards may be used on the DCR Electronic Filing System to pay filing-related fees: Visa, Mastercard, Discover, and American Express. Fees may also be paid by depositing in advance sufficient funds with the DCR in person or by mail by attorney's check or money order.

(4) *Access to Legal Papers Filed Electronically and Redaction of Personal Data Identifiers*

(a) All legal papers and exhibits filed electronically shall be available electronically to the filing parties as the Court or DCR may provide from time to time. The DCR shall maintain computer terminals in the DCR's office for this purpose.

(b) The DCR shall provide public access to electronically-filed legal papers and exhibits as the Court or DCR may provide from time to time. The Clerk shall maintain computer terminals in the DCR's office for this purpose.

(c) The filing party shall not include in, or shall redact, the following personal data identifiers from electronically-filed legal papers, including the cover sheet and exhibits, for public access:

i. Social Security numbers of persons other than decedents, except for the last four digits.

ii. Dates of birth for persons other than decedents.

iii. Financial account numbers, except for the last four digits.

iv. Home addresses of (a) persons other than alleged incapacitated persons, minors and parties in interest in guardianship cases and (b) any petitioner for grant of letters testamentary or letters of administration and parties in interest in decedent's estates.

(d) The filing party shall redact the personal data identifiers listed in subsection (4)(c) from all electronically-filed legal papers and exhibits. The DCR shall not review legal papers or exhibits to determine whether personal data identifiers have been redacted.

(e) Service of legal papers by parties is controlled by Pennsylvania Supreme Court Orphans' Court Rule 3.7(h).

(f) Signature, Verification and Retention of Legal Papers by parties are controlled by Pennsylvania Supreme Court Orphans' Court Rule 3.7(c)

(5) *Filing Date.*

(a) When any legal paper has been successfully transmitted electronically to the DCR website, the DCR Electronic Filing System shall generate a printable acknowledgement page and shall transmit to the filer an initial e-mail confirming the electronic receipt of the legal paper, the date and time thereof and the acknowledgement page file.

(b) After the DCR has processed the electronic filing, the DCR shall transmit to the filer an e-mail setting forth the date and time of acceptance of the filing or stating that the filing has not been accepted and the reasons for non-acceptance.

(c) A legal paper will not be considered filed if the DCR responds to the filing by notifying the filer that the filer has (i) not maintained with the DCR sufficient funds on account to pay the fees and costs of the filing, (ii) failed to authorize payment by credit or debit card of such fee and costs, (iii) failed to pay by ACH, or (iv) the pleading does not conform to rules of court.

(d) A legal paper accepted for filing shall be deemed to have been filed as of the date and time it was received by the DCR Electronic Filing System. If a legal paper is rejected, the DCR shall specify the reason. Subject to the provisions of subsection (e), a rejected legal paper shall be deemed not to have been filed.

(e) If a failure of the DCR website results in an untimely filing, the party whose legal paper was not filed may file a petition with the Orphans' Court pursuant to Pa. Supreme Court Orphans' Court Rule 3.7(e) requesting that the legal paper be deemed filed as of the submission date. Such petition shall state the date and time of the alleged failure or rejection, why the rejection was erroneous and why the legal paper could not be resubmitted in a timely manner, either electronically or in person.

(f) (i) The Orphans' Court, upon motion, shall resolve any dispute arising under subsection (c) of this subdivision.

(ii) If a party makes a good faith effort to electronically file a legal paper but it is not received, accepted or filed by the electronic filing system, the Orphans' Court may order that the legal paper be accepted and filed *nunc pro tunc* upon a showing that reasonable efforts were made to timely present and file the legal paper.

(6) *Local Procedures.* The Court may develop further administrative procedures, as needed, to implement this rule and to provide for security of the electronic filing system as required by changing technology. All such administrative procedures shall be posted on the Court's website or at <http://dcr.alleghenycounty.us>.

**Comments:**

Filing parties are encouraged to allow sufficient time to correct deficiencies in time-sensitive matters. The DCR staff will continue to be available to review the hard copy of any legal paper prior to electronic filing to assure conformity with applicable rules and procedures.

[Pa.B. Doc. No. 12-897. Filed for public inspection May 18, 2012, 9:00 a.m.]

## Title 25—LOCAL COURT RULES

### ARMSTRONG COUNTY

#### Adoption of New Local Rules of Court—2002; No. CP-03-AD-0000189-2002

##### Order of Court

*And Now*, this 27th day of April, 2012, it is hereby *Ordered* that Armstrong County Rules of Civil Procedure 1940.3, 1940.4, 1940.6 and 1940.7 pertaining to Voluntary Mediation in Custody Action be and are hereby rescinded. This Order shall become effective thirty (30) days after its publication in the *Pennsylvania Bulletin*.

*By the Court*

KENNETH G. VALASEK,  
*President Judge*

[Pa.B. Doc. No. 12-898. Filed for public inspection May 18, 2012, 9:00 a.m.]

### LEHIGH COUNTY

#### Establishing Uniform Costs for Specialized Urinalysis Testing and Confirmation by the Adult Probation/Parole Office; No. AD 2-2012

##### Administrative Order

*And Now*, this 18th day of April, 2012, *It Is Hereby Ordered* that the following procedures be put into place and become effective as of June 1, 2012:

1. Every person placed on probation, parole, accelerated rehabilitative disposition, probation without verdict, or intermediate punishment, shall pay, in addition to the costs of prosecution, fines and restitution, and other costs, a fee of \$30.00 for each urinalysis test administered by the Lehigh County Adult Probation Department for the detection of synthetic cannabinoids and a fee of \$40.00 for each urinalysis test administered by the Lehigh County Adult Probation Department for the detection of synthetic amphetamines.

2. Every person placed on probation, parole, accelerated rehabilitative disposition, probation without verdict, or intermediate punishment, shall pay, in addition to the costs of prosecution, fines and restitution, and other costs, a fee of \$12.50 for confirmation testing of each/any urinalysis test administered by the Lehigh County Adult Probation Department.

*It Is Further Ordered* that one (1) certified copy of this Order shall be filed by the Court Administrator of Lehigh County with the Administrative Office of the Pennsylvania Courts; that two (2) certified copies and a CD-ROM copy that complies with the requirement of Pa. Code § 13.11(b) shall be filed with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; that one (1) certified copy shall be filed with the Criminal Procedure Rules Committee, which Committee has certified to this court that this Administrative Order is not inconsistent with any general rule of the Supreme Court. Finally, it is ordered that the Court Administrator of

Lehigh County publish a copy of this Order on the Unified Judicial System's web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.

*By the Court*

CAROL K. MCGINLEY,  
*President Judge*

[Pa.B. Doc. No. 12-899. Filed for public inspection May 18, 2012, 9:00 a.m.]

## ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

### Request for Proposals

The Administrative Office of Pennsylvania Courts is seeking potential bidders for credit card services for the Unified Judicial System of Pennsylvania. This opportunity will be open from May 7, 2012, through 5 p.m. on May 24, 2012. For bid information, specifications and further information, contact Jaime Jacoby at [Jaime.Jacoby@pacourts.us](mailto:Jaime.Jacoby@pacourts.us).

ZYGMONT A. PINES,  
*Courts Administrator*

[Pa.B. Doc. No. 12-900. Filed for public inspection May 18, 2012, 9:00 a.m.]

## COMMONWEALTH COURT

**Regular Sessions of Commonwealth Court for the  
Year 2013; No. 126 M.D. No. 3**

### Order

*And Now*, this 3rd day of May, 2012, *It Is Hereby Ordered* that the argument sessions of the Common-

wealth Court of Pennsylvania shall be held in the year 2013 as follows:

### Dates

February 11—15  
March 11—15  
April 15—19  
May 14—17  
June 10—14  
September 9—13  
October 7—11  
November 12—15  
December 9—13

### Situs

Philadelphia  
Harrisburg  
Pittsburgh  
Philadelphia  
Harrisburg  
Harrisburg  
Philadelphia  
Pittsburgh  
Harrisburg

DAN PELLEGRINI,  
*President Judge*

[Pa.B. Doc. No. 12-901. Filed for public inspection May 18, 2012, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Suspension

Notice is hereby given that Wayne Powell having been suspended from the practice of law in the State of New Jersey for a period of 3 months by Order of the Supreme Court of New Jersey dated June 28, 2011, the Supreme Court of Pennsylvania issued an Order on April 30, 2012, suspending Wayne Powell from the practice of law in this Commonwealth for a period of 3 months, to take effect on May 30, 2012. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary*  
*The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 12-902. Filed for public inspection May 18, 2012, 9:00 a.m.]