

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 1]

Adoption of Rule 125 of the Rules of Appellate Procedure; No. 220 Appellate Procedural Rules Doc.

Order

Per Curiam

And Now, this 24th day of October, 2012, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been published before adoption at 41 Pa.B. 5954 (November 5, 2011):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 125 of the Pennsylvania Rules of Appellate Procedure is adopted in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective November 1, 2012.

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE I. PRELIMINARY PROVISIONS

CHAPTER 1. GENERAL PROVISIONS

DOCUMENTS GENERALLY

Rule 125. Electronic Filing.

Electronic filing of documents in the appellate courts shall be through the PACFile appellate court electronic filing system. Electronic filing of documents shall be governed by an Administrative Order of the Supreme Court of Pennsylvania, which may be found at <http://ujportal.pacourts.us>.

Official Note: This is an interim rule permitting electronic filing of documents in the Pennsylvania appellate courts in accordance with instructions available at <http://ujportal.pacourts.us>. Initially, electronic filing will be available only in the Supreme Court. Subsequently, electronic filing will become available in the Superior and Commonwealth Courts. After experience is gained with electronic filing, the Pennsylvania Rules of Appellate Procedure will be amended where needed and as appropriate.

[Pa.B. Doc. No. 12-2187. Filed for public inspection November 9, 2012, 9:00 a.m.]

Title 246—MINOR COURT CIVIL RULES

PART I. GENERAL

[246 PA. CODE CHS. 300 AND 400]

Proposed Amendments to Rules 341 and 402

The Minor Court Rules Committee is planning to recommend that the Supreme Court of Pennsylvania adopt revisions to the Official Note to Rule 341, and Rule 402 of the Minor Court Civil Rules. The Committee has not yet submitted this proposal for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. The Committee's Report should not be confused with the Committee's Official Notes to the rules. The Supreme Court does not adopt the Committee's Official Notes or the contents of the Reports.

The text of the proposed changes precedes the Report. Additions are shown in bold; deletions are in bold and brackets.

We request that interested persons submit written suggestions, comments, or objections concerning this proposal to the Committee through counsel,

Pamela S. Walker, Counsel
Supreme Court of Pennsylvania
Minor Court Rules Committee
Pennsylvania Judicial Center
P. O. Box 62635
Harrisburg, PA 17106-2635
Fax: 717-231-9546

or email to: minorrules@pacourts.us

All comments shall be received no later than Friday, January 18, 2013.

By the Minor Court Rules Committee

MARY P. MURRAY,
Chair

Annex A

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 300. CIVIL ACTION

SATISFACTION OF MONEY JUDGMENTS

Rule 341. Request for Entry of Satisfaction; Service; Entry of Satisfaction.

A. If a judgment debtor has paid in full, settled, or otherwise complied with a judgment rendered in a magisterial district court, anyone interested in the judgment may request the entry of satisfaction of the judgment by filing a written request in the office of the magisterial district judge who rendered the judgment.

B. A request for entry of satisfaction by anyone other than the judgment creditor must be served upon the judgment creditor in accordance with the rules in the 300 Series regarding service of the complaint.

C. Within 90 days from the date of service of the request for entry of satisfaction, the judgment creditor shall enter satisfaction in the office of the magisterial district judge in which the request for entry of satisfaction was filed.

Official Note: Subdivision A provides a mechanism for a judgment debtor, or anyone interested in the judgment, to file a written request for entry of satisfaction in the office of the magisterial district judge who rendered the judgment. See Section 8104(a) of the Judicial Code, 42 Pa.C.S. § 8104(a).

Subdivision B is intended to provide a number of alternative methods of service. See Rules 307, 308, 309, 310, 311, 312 and 313. When permitted, service by mail should be at the option of the person filing the request for entry of satisfaction. The requester shall be required to pay for all costs associated with initiating entry of satisfaction. **If the requester is unable to locate or otherwise serve the request upon the judgment creditor, the requester may need to seek alternative service pursuant to Pa.R.C.P. 430.**

Upon the entry of satisfaction, the judgment debtor may file a true copy of the entry of satisfaction in any other magisterial district court in which the judgment may have been entered pursuant to Rule 402. Nothing in this rule is intended to suggest that it is the obligation of the judgment creditor to enter satisfaction in any court other than the court specified in subdivision C.

These procedures also apply to satisfaction of money judgments rendered in actions for the recovery of possession of real property (landlord/tenant actions). See Rules 514 and 518.

If a judgment creditor does not comply with the provisions of this rule, the judgment debtor may proceed under Rule 342.

A party may contest the entry of satisfaction by filing a petition to strike the entry of satisfaction with the court of common pleas.

CHAPTER 400. ENFORCEMENT OF JUDGMENTS RENDERED BY MAGISTERIAL DISTRICT JUDGES FOR THE PAYMENT OF MONEY

Rule 402. Request for Order of Execution. Entry of Judgment in Court of Common Pleas.

A. Execution of a judgment for the payment of money rendered by a magisterial district judge may be ordered by a magisterial district judge in whose office the judgment was rendered or entered, provided the plaintiff files in that office

(1) not before the expiration of 30 days from the date the judgment is entered by the magisterial district judge, and

(2) within five years of that date, a request for an order of execution.

B. The request form shall be attached to the order, return and other matters required by these rules.

C. The plaintiff may enter the judgment, for the purpose of requesting an order of execution thereon, in an office of a magisterial district judge other than that in which it was rendered only if levy is to be made outside the county in which the judgment was rendered and the office in which the judgment is entered for execution is that of the magisterial district judge whose magisterial district is situated in the county in which levy is to be made.

The plaintiff may enter the judgment in such other office by filing therein a copy of the record of the proceedings containing the judgment, certified to be a true copy by the magisterial district judge in whose existing office the judgment was rendered or by any other official custodian of the record.

D. (1) The plaintiff may enter the judgment in the court of common pleas in any county. When so entered, the indexing, revival and execution of the judgment shall be in accordance with procedures applicable in the court of common pleas.

(2) The judgment may be entered in the court of common pleas by filing with the prothonotary a copy of the record of the proceedings containing the judgment, certified to be a true copy by the magisterial district judge in whose office the judgment was rendered or by any other official custodian of the record.

(3) The judgment may be entered in the court of common pleas after 30 days from the date the judgment is entered by the magisterial district judge. The judgment may not be entered in the court of common pleas after five years from the date the judgment is entered by the magisterial district judge.

(4) Within 14 days of entering the judgment in the court of common pleas, the plaintiff shall file a copy of the common pleas docket with the magisterial district court that entered the judgment, and the magisterial district court shall vacate the judgment from its docket.

(5) Except as provided in subparagraph [D(5)] D(6) of this rule, once the judgment is entered in the court of common pleas all further process must come from the court of common pleas and no further process may be issued by the magisterial district judge.

[(5)] (6) The magisterial district judge shall enter satisfaction on the docket of the magisterial district court proceedings upon the filing by any party in interest of a certified copy of the docket entries of the court of common pleas showing the judgment and satisfaction have been entered in the court of common pleas.

E. (1) As used in this rule, a judgment marked "expired" is a judgment that cannot be satisfied, revived, or vacated because the five year period designated in Rule 402 has elapsed.

(2) If the plaintiff does not request an order of execution in a magisterial district court or enter the judgment in a court of common pleas within five years of the date the judgment was entered by the magisterial district judge, then the judgment shall be marked expired.

Official Note: Under subdivision A of this rule, the execution proceedings are commenced by requesting an "order of execution." The request may not be filed before the expiration of 30 days after the date the judgment is entered by the magisterial district judge. This will give the defendant an opportunity to obtain a supersedeas within the appeal period. The request must be filed within five years of the date the judgment is entered by the magisterial district judge. No provision has been made for revival of a judgment in magisterial district court proceedings.

Subdivision C provides for entering the judgment, for the purpose of requesting an order of execution, in an office of a magisterial district judge other than that in which the judgment was rendered when levy is to be

made outside the county in which the judgment was rendered. Compare Pa. R.C.P. No. 3002.

As to subdivision D, see Section 1516 of the Judicial Code, 42 Pa.C.S. § 1516. The 30 day limitation in the rule appears to be required by this Section. Certification by the magisterial district judge should not be done before the expiration of 30 days after the date of entry of the judgment. The only method available to renew a judgment would be to record the judgment in the Prothonotary's office prior to the expiration of the five-year period and then follow the applicable Rules of Civil Procedure for the revival of judgments. See Pa. R.C.P. No. 3025 et seq. Also, subdivision D makes clear that when the judgment is entered in the court of common pleas, all further process shall come from the court of common pleas and that no further process shall be issued by the magisterial district judge except that the magisterial district judge shall enter on the magisterial district court docket proof of satisfaction of a judgment that had been entered in the court of common pleas and subsequently satisfied in that court. This exception is necessary so that procedures exist for entering satisfaction of all judgments with the magisterial district court, regardless of whether the judgment has been certified to and satisfied in the court of common pleas. **A plaintiff filing a judgment in the court of common pleas is required to file a copy of the common pleas docket with the magisterial district court that entered the docket, and the magisterial district court will then vacate its judgment. This step ensures that only the enforceable common pleas judgment will be reportable as an outstanding liability of the defendant.**

Subdivision E provides that a judgment shall be marked expired if the plaintiff does not request an order of execution in a magisterial district court or enter the judgment in a court of common pleas within five years of the date the judgment was entered by the magisterial district judge. Limiting the time period for entry of the judgment to five years will give a plaintiff sufficient time to act without indefinitely penalizing a defendant.

REPORT

Proposed Amendments to the Official Note to Rule 341, and Rule 402 of the Minor Court Civil Rules

Civil Actions: Time Limits for Requesting an Order of Execution or Entering Judgment in a Court of Common Pleas

I. Introduction and Background

The Minor Court Rules Committee (the "Committee") is proposing amendments to the rules of procedure governing civil actions before magisterial district judges. The goal of these changes is to clarify (1) a defendant's options when a plaintiff cannot be located or otherwise served with a request for entry of satisfaction of judgment, and (2) the status of a judgment when a plaintiff has not executed it or entered it at a court of common pleas within the five year period set forth in Pa.R.C.P.M.D.J. No. 402, as well as to require that a plaintiff provide a copy of the common pleas docket when the plaintiff has entered a magisterial district court judgment with the court of common pleas.

The Committee received reports that some defendants have encountered difficulties when attempting to serve plaintiffs with requests to enter satisfaction of judgment because the plaintiffs have either moved, died, or are otherwise unavailable (e.g., corporate dissolution). Under current Pa.R.C.P.M.D.J. No. 341, the judgment creditor

must be served with the request and enter satisfaction of the judgment. Additionally, the Committee was advised that where a plaintiff enters a judgment at a court of common pleas pursuant to Pa.R.C.P.M.D.J. No. 402D, the judgment in the magisterial district court remains open and active because the magisterial district court is not advised of the action at common pleas. Moreover, it is incumbent upon the plaintiff to adhere to the requirement in Pa.R.C.P.M.D.J. No. 402D(4), and not take further action in the magisterial district court. Finally, the Committee also considered the scenario where five years from the date of the judgment has elapsed, and the plaintiff has not taken any action to either execute on the judgment in a magisterial district court, or enter it in a court of common pleas pursuant to Pa.R.C.P.M.D.J. No. 402. In all of these instances, defendants can be subject to adverse credit reporting because of these magisterial district court judgments, yet they have no effective means to update the record.

II. Proposed Rule Changes

A. Official Note to Rule 341: The Committee observed that rules governing civil practice before magisterial district judges do not provide for motions practice or a mechanism by which a defendant could demonstrate efforts to serve the plaintiff with the request for entry of satisfaction of judgment. Accordingly, the Committee is proposing amending the Official Note to Rule 341 to direct the defendant to the alternative service procedures in the courts of common pleas, specifically Pa.R.C.P. 430. In doing so, a defendant may be able to demonstrate to a judge of that court good faith efforts to locate the plaintiff, and receive an order directing a method of service, which, when satisfied, could satisfy the requirements of Pa.R.C.P.M.D.J. No. 341.

B. Rule 402: First, the Committee examined the situation where a plaintiff enters a judgment rendered by a magisterial district court with the court of common pleas. In these instances, the magisterial district court judgment remains open and active, and there is no current reporting mechanism that notifies the magisterial district court that the plaintiff has filed the judgment with the court of common pleas. Thus, the defendant could be subject to having two open judgments—one on the records of the magisterial district court, and the other at the court of common pleas. The Committee seeks to cure this problem by amending Rule 402 to add a requirement that a plaintiff that has entered a judgment in the court of common pleas must file a copy of the common pleas docket with the magisterial district court that entered the judgment, and that court will vacate the judgment from its docket. With this proposed change, the Committee anticipates that defendants will not be adversely affected by having two open judgments.

Next, the Committee examined situations where a plaintiff does not execute on a judgment or enter it at the court of common pleas within the five year period prescribed by Pa.R.C.P.M.D.J. No. 402, rendering the judgment unenforceable. The Committee discussed the need to more accurately reflect the status of such judgments, and suggests marking such judgments "expired" after the five year period has elapsed. Doing so will properly indicate that such a judgment is one that can no longer be enforced via the processes set forth in Pa.R.C.P.M.D.J. No. 402.

[Pa.B. Doc. No. 12-2188. Filed for public inspection November 9, 2012, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Appointment of Supervising Judge, Trial Division— Civil; Administrative Order No. 02 of 2012

Amended Order

And Now, this 25th day of October, 2012, upon consideration of the resignation of Judge Allan L. Tereshko as Supervising Judge, Trial Division—Civil, as of the close of the Court's business October 24, it is hereby Ordered that the Honorable Arnold L. New is appointed Supervising Judge of the Trial Division—Civil and shall serve at the pleasure of the Administrative Judge of the Trial Division, while at the same time continuing his duties as Coordinating Judge of the Complex Litigation / Mass Tort Program.

This Order is issued in accordance with Pa.R.C.P. No. 239 and the April 11, 1986 Order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration. The original order shall be filed with the Prothonotary in a Docket maintained for Administrative orders issued by the Administrative Judge of the Trial Division, Court of Common Pleas of Philadelphia County, and shall be submitted to the *Pennsylvania Bulletin* for publication. Copies of the order shall be submitted to the Administrative Office of Pennsylvania Courts, the Civil Procedural Rules Committee, American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and shall be posted on the website of the First Judicial District of Pennsylvania: <http://www.courts.phila.gov/regs>.

By the Court

HONORABLE JOHN W. HERRON,
Administrative Judge, Trial Division

[Pa.B. Doc. No. 12-2189. Filed for public inspection November 9, 2012, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LEHIGH COUNTY

Rule 205.4 Authorizing the Tax Assessment Appeals Optional E-Filing Program; No. 2012-J-56

Administrative Order

And Now, this 9th day of October 2012, *It Is Hereby Ordered That* the following Lehigh County Rule authorizing the Optional E-Filing Program for Tax Assessment Appeals be and the same is hereby *Adopted*, effective upon publication of this rule on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).

It Is Further Ordered That the Court Administrator of Lehigh County shall file: one (1) certified copy of this Order and the Lehigh County Rule authorizing the Optional E-Filing Program for Tax Assessment Appeals with the Administrative Office of Pennsylvania Courts; two (2) certified copies and a computer diskette or

CD-ROM copy that complies with the requirement of 1 Pa. Code Section 13.11(b) with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; one (1) certified copy with the Civil Procedural Rules Committee, and publish a copy on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).

By the Court

CAROL K. MCGINLEY,
President Judge

Rule 205.4. Electronic Filing of Tax Assessment Appeals Filed in the Clerk of Judicial Records—Civil Division.

(a)(1) *Authorization for Electronic Filing*

As required by Pa.R.C.P. No. 239.8, upon publication by the President Judge of Lehigh County on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>) of a Lehigh County local rule authorizing the electronic filing of tax assessment appeals, parties may electronically file all tax assessment appeal papers and exhibits with the Clerk of Judicial Records—Civil Division.

Note: Electronic filing of tax assessment appeal papers is optional. Tax assessment appeal filers may still file paper tax assessment appeals with the Clerk of Judicial Records—Civil Division in accordance with the rules of court. Instructions for filing paper tax assessment appeals can be found on the Court's website: <http://www.lccpa.org>

(b)(1) *Authorized Electronic Format of Legal Papers Electronically Filed.* All tax assessment appeal papers that are to be filed electronically shall be filed in Portable Document Format (PDF) (c)(1) Reserved

(c)(1) *Reserved*

(c)(2) *Website—Access to the Website*

(i) *Website.* If a filing party elects to commence an appeal by electronic filing, the tax assessment appeal papers shall be filed electronically through the Clerk of Judicial Records—Civil Division's Electronic Filing System "Odyssey File and Serve" (OFS) which shall be accessible through the Lehigh County Website, www.lehighcounty.org

(ii) *Access to the Website.* To obtain access to the Electronic Filing System, counsel and any unrepresented party must apply for and receive a User Name and Password.

(d)(1) *Payment of Filing Fees*

(i) The Clerk of Judicial Records—Civil Division will accept for payment of all filing fees cash, checks, and the following credit and debit cards: American Express (AMEX), Discover, MasterCard, and Visa.

(ii) The credit or debit card will be charged with the convenience fee dictated by the credit card vendor for fees other than those charged for electronic filing.

(e) *Reserved*

(f) *Local Procedures*

As authorized by Pa.R.C.P.No. 205.4(f), the following local administrative procedures are adopted:

(i) As provided by Pa.R.C.P.No. 1023.1, the required signature on an electronic filing of legal papers is established by submission of a filing and the application of a digitized signature or the name of the filer proceeded by /s/ accompanied by the attorney's printed name or a scanned document with an original signature. Verification shall be achieved through the use of an email address

and a password obtained from the OFS System. The OFS system will verify the user ID against the state ID number. Verification for parties other than attorneys will be verified through the user ID.

(ii) The legal paper must include a signature block, and the name of the filing party under whose user name and password the legal filing is submitted.

(iii) The Clerk of Judicial Records—Civil Division shall provide to all email addresses registered by the submitting party a Courtesy Email acknowledging that the legal paper was received. An Official Notification will be displayed in the Electronic Filing System, which includes the time and date, as a pending filing awaiting the clerk's approval. Within six (6) business hours of the receipt of the legal paper, the Clerk shall provide the filing party with notification through the Electronic Filing System that the legal paper has been either accepted or rejected.

(iv) 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 Electronic Filing System; however, if a legal paper is submitted without the requisite filing fee, the legal document shall be deemed to have been accepted for filing as of the date payment is received. The Clerk of Judicial Records—Civil Division is authorized to refuse for filing a legal document submitted without the requisite payment pursuant to 42 Pa.C.S. § 1725(c)(2)(xix).

Note: As required by Pa.R.C.P. No. 205.4(c)(1) access to the Electronic Filing System shall be available at all times, except for routine maintenance. Legal documents can only be reviewed by the Clerk of Judicial Records staff during normal court hours. Therefore, parties are cautioned to file required legal documents well in advance of any filing deadlines to enable timely correction and re-submission in the event a legal document is not accepted or is refused for filing.

(v) If a legal paper is refused for filing, the Clerk of Judicial Records shall notify the filing party and shall specify a reason for the refusal. Subject to the Rule 205.4 (e)(1)(i), a legal paper refused for filing shall be deemed as not having been filed.

(vi) Pa.R.C.P. No. 204.1(3) requires that the first sheet of all pleadings, motions and other legal filings shall contain a 3-inch space from the top of the paper. This space shall be reserved solely for the use of the Clerk of Judicial Records—Civil Division for the electronic date and time stamp, and other official use.

(vii) In the event any legal paper or exhibit is submitted for filing to the Clerk of Judicial Records—Civil Division in hard copy format/ paper for a case that had been initiated by electronic filing, the Clerk of Judicial Records shall convert the legal paper to a portable document format (pdf) and maintain such legal paper or exhibit in the electronic form. The Clerk of Judicial Records shall return the hard copy legal paper or exhibit to the filing party for retention as required by Pa.R.C.P.No. 205.4(b)(4) and Pa.R.C.P.No. 205.4(b)(5).

(viii) When an electronic filing for a new action has been accepted, the Clerk of Judicial Records shall electronically return a time-stamped copy to the filing party, who shall serve copies to all parties by regular mail. The filing party shall file with the Clerk of Judicial Records the Certificate of Service no later than thirty (30) days after the initial filing of the court papers.

Note: A copy of the Certificate of Service Form can be found on the Court's website: <http://www.lccpa.org>

(ix) When filing electronically, the filing party shall provide an electronic copy to the Court Administrator's Office in accordance with the instructions contained in the *Electronic Filing Users' Manual*.

[Pa.B. Doc. No. 12-2190. Filed for public inspection November 9, 2012, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated October 25, 2012, Katrina F. Wright is *Suspended* from the Bar of this Commonwealth for a period of 3 years effective November 24, 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. 12-2191. Filed for public inspection November 9, 2012, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that Toussaint T. Tyson, having been suspended from the practice of law before the Board of Immigration Appeals, the Immigration Courts and the Department of Homeland Security for a period of 3 years by Order of the Board of Immigration Appeals dated September 2, 2010; the Supreme Court of Pennsylvania issued an Order dated October 25, 2012, suspending Toussaint T. Tyson from the practice of law in this Commonwealth for a period of 3 years, effective November 24, 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. 12-2192. Filed for public inspection November 9, 2012, 9:00 a.m.]

SUPREME COURT

Electronic Filing System in the Appellate Courts; No. 389 Judicial Administration Doc.

Order

Per Curiam

And Now, this 24th day of October, 2012, electronic filing of appellate court filings through the PACFile appellate court electronic filing system is hereby autho-

rized. The use of the PACFile system shall not affect the form or content of documents to be filed. 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. After experience is gained with electronic filing, the Pennsylvania Rules of Appellate Procedure shall be amended to incorporate, where needed and as appropriate, procedures relating specifically to electronic filing and service of documents. In the interim, electronic filing and service shall be governed by this Order.

I. *Participation and Fees*

The PACFile system shall permit attorneys and parties proceeding without counsel to file electronically. An attorney must establish an account in order to use the PACFile system. An attorney is responsible for the actions of other individuals whom the attorney authorizes to use the attorney's account. The PACFile system will permit parties who are proceeding without counsel to access their cases through an authorization process. Service of electronic filings on attorneys who have established an account and on parties without counsel who have been authorized will be made automatically by the PACFile system.

Applicable filing fees shall be paid electronically through procedures established by the appellate courts and the Administrative Office of Pennsylvania Courts, and at the same time and in the same amount as required by statute, court rule or order. In addition to the filing fees now applicable, an online payment convenience fee for use of the PACFile system shall be imposed. *See* 204 Pa. Code § 207.3.

II. *Use of the Electronic Filing System*

(A) Electronic filings may be submitted at the UJS web portal: <http://ujportal.pacourts.us> beginning on November 1, 2012, in accordance with the filing instructions available at that site.

(B) Electronic filings may be submitted at any time (with the exception of periodic maintenance). The electronic filing must be completed by 11:59:59 p.m. EST/EDT to be considered filed that day.

(C) Sealed or confidential documents may be submitted for electronic filing in a manner that maintains confidentiality under applicable law.

(D) Signatures on electronic filings shall use the following form: */s/ Chris L. Smith.*

(E) The original of a sworn or verified document that is an electronic filing (e.g., affidavit) or is contained within 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.

(F) Use of the PACFile system shall constitute the filer's certification that:

(1) The submission is authorized; and

(2) Electronic notice and service of other documents through the PACFile system will be accepted by the filer.

(G) The submission of an electronic filing shall satisfy the service requirements of Pa.R.A.P. 121 and 122 on any attorney or party who has established a UJS web portal account.

(H) Service of electronic filings on any attorney or party who has not established a UJS web portal account shall be made by the traditional methods required under Pa.R.A.P. 121 and 122.

(I) Within seven days of the submission of any electronic filing, the electronic filer shall submit one paper version of the electronic filing to the court's filing office. The paper version of the electronic filing shall be considered the original for archival purposes only. The electronic filer shall not be required to serve a paper copy of the electronic filing on the opposing party except as provided in subsection (H), above.

(J) The procedures described in this order apply in lieu of those prescribed by the Pennsylvania Rules of Appellate Procedure to the extent there are differences between the procedures; otherwise the Rules of Appellate Procedure continue to apply with full force and effect.

[Pa.B. Doc. No. 12-2193. Filed for public inspection November 9, 2012, 9:00 a.m.]