

NOTICE TO THE BAR AND GENERAL PUBLIC

Electronic Filing in the Orphans' Court Division of the Court of Common Pleas of Philadelphia County

Orphans' Court Electronic Filing System

The Honorable Joseph D. O'Keefe, the Administrative Judge of the Orphans' Court Division, and the Honorable Ronald R. Donatucci, the Clerk of the Orphans' Court Division, are pleased to announce that beginning January 1, 2005, Orphans' Court legal papers/pleadings may be filed electronically with the Clerk of the Orphans' Court, utilizing the *Orphans' Court Electronic Filing System* ("*OCEFS*") located on the website of the First Judicial District of Pennsylvania, <http://courts.phila.gov>. Beginning July 1, 2005, all legal papers **must** be filed electronically.

Beginning January 1, 2005, Lawyers and parties acting *pro se* will be able to apply for a Username and Password through the website, which will be accessible using any popular browser (MS Internet Explorer, Netscape Navigator, Mozilla Firefox, et al.). The Clerk's office will assign the Username and Password and forward same to the applicant's registered email address.

Users who have been provided a Username and Password, lawyers and *pro se* alike, will be able to log on the site, be shown a list of all cases in which the lawyer or *pro se* party has entered an appearance on or after January 1, 2005, view the docket and all pleadings filed after January 1, 2005, file new pleadings in those cases and initiate new cases.

In order to electronically file a pleading, the user must log on to the *OCEFS* and enter information about the pleading and the case, and then attach or upload a document, which must be in a portable document format (pdf). No Cover Sheet will be needed because the *OCEFS* will automatically generate a Cover Sheet from the information that is entered by the user about the case and the pleading being electronically filed.

Immediately after a pleading is submitted to the Clerk, a notice will be displayed on the *OCEFS*, and an email will be sent to the user's registered email address, acknowledging that the filing has been received by the Clerk. The Clerk's office will review the pleading within six (6) business hours and confirm (both on the *OCEFS* as well as by email to the user's registered email address) that the pleading has been accepted or, if rejected, shall identify the reasons for the rejection.

Exhibits to pleadings can be filed as part of the same pdf file as the pleading (which is preferred), as separate pdf files submitted with the electronic pleading, or they can be faxed to a fax server. The website will create a special fax cover sheet ("*Electronic Filing Transmittal Form*") which must be used for this purpose. Until at least July 1, it will also be possible to mail or deliver exhibits to the Clerk's office, where they will be scanned and then returned.

Filing fees can be paid on-line (which is preferred) by credit or debit card, or by mailing or delivering a check to the Clerk's office. Beginning January 1, there will be an "automation fee" of \$10.00 in addition to all other filing fees.

Before a pleading is electronically filed, it must be printed, signed and verified, but the pdf document that is electronically filed with the Clerk can be "printed" to pdf from a word processing program and does not need to include scanned images of the signatures. Pa.O.C. Rule 3.7(c)(2) provides that the electronic filing of the pleading is an automatic certification that the pleading has been properly signed and verified. The filing party must retain the signed and verified pleading for at least five years after disposition of the pleading, case or appeal (see Pa.O.C. Rule 3.7(c)(3)), and must be able to file the original or hard copy pleading with the Clerk if requested by any other party in accordance with Pa.O.C. Rule 3.7(b)(4).

Initially, public access to pleadings will not be available on-line, but through the Clerk's office, and the Clerk is required to redact from the publicly accessible files the following information: (a) the name of the minor (in the case of a minor's estate), (b) Social Security numbers, (c) dates of birth, (d) financial account numbers, and (e) home addresses.

General Court Regulation No. 2004-01 (issued 11/22/2004) can be found at <http://fjd.phila.gov/pdf/regs/2004/cpogcr2004-01.pdf>, and Pa. O.C. Rules 2.3 and 3.7 (adopted 10/18/2004) can be found at <http://www.courts.state.pa.us/Index/SupCtCmtes/orphctrules/344orphctrule.pdf>.

A *User Manual* will be available through the FJD's website, <http://court.phila.gov>, on January 1, 2005.

/s/ Joseph D. O'Keefe

12-7-04

/s/ Ronald R. Donatucci

Honorable Joseph D. O'Keefe
Administrative Judge
Orphans' Court Division

Date

Honorable Ronald R. Donatucci
Clerk of the Orphans' Court
Division