

**Local Rule of Criminal Procedure 576.1.** Electronic Filing and Service of Legal Papers in Criminal Proceedings.

**(A) Electronic Filing.** The Administrative Office of Pennsylvania Courts and the Eighteenth Judicial District have agreed upon an implementation plan for electronic filing, as that term is defined in Pa.R.Crim.P. 576.1(C), in the Eighteenth Judicial District through the statewide system known as PACFile, effective December 21, 2022. The Clarion 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. In the context of this rule, “legal papers” which may be filed electronically do not include cases involving Domestic Relations, Protection from Abuse, Orphans’ Court, and Mental Health/Intellectual Disability.

**(B) PACFile.** Electronic filing through the PACFile System is voluntary. Any party or attorney who declines to participate, or who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the PACFile system, shall be permitted to file legal papers in a physical paper format (“hard-copy”) and shall be served legal papers in a physical paper format by the Clerk of Courts and other parties, whether electronically filed or otherwise, as required by Pa.R.Crim.P. 576.1. All electronic filings shall be in Portable Document Format (PDF).

**(C) Legal Papers.**

- (1) The legal papers which may be filed electronically shall encompass all written motions, written answers, and any notices or documents for which filing is required or permitted, including orders, copies of exhibits, and attachments, except for the following:
  - (a) Applications for search warrants,
  - (b) Applications for arrest warrants,
  - (c) Any grand jury materials, except the indicting grand jury indictment or the investigating grand jury presentment;
  - (d) Exhibits offered into evidence, whether or not admitted, in a court proceedings;
  - (e) Submissions filed ex parte as authorized by law;
  - (f) Submissions filed or authorized to be filed under seal;
  - (g) Oversized documents or documents that cannot be reduced into an 8 ½ x 11 inch;
  - (h) Wiretap Act, cell phone, tracker, and Internet petitions; and
  - (i) Third-party filing of amicus briefs or other third-party filing.

- (2) The applicable rules of criminal procedure, general rules of court, and court policies that implement the rules shall continue to apply to all legal papers regardless of the method of filing.
- (3) A legal paper filed electronically shall be deemed the original document.
- (4) Any legal paper submitted for filing to the Clerk of Courts in a physical paper (or 'hard-copy') format shall be accepted by the Clerk of Courts in that format and shall be retained by the Clerk of Courts as may be required by applicable rules of court and record retention policies. The Clerk of Courts shall convert such hard-copy legal paper to .pdf and add it to the system, except those legal papers excluded from electronic filing pursuant to Pa.R.Crim.P. 576.1(C) and this rule.

**(D) Signature.**

- (1) Scanned signatures will be accepted as originals. An electronically filed document shall be deemed to have been signed by the filer if it bears a facsimile or typographical signature of the filer, e.g. /s/ John Doe.
- (2) An electronic filing of a motion or answer that includes an electronic signature constitutes a certification pursuant to Pa.R.Crim.P. 575 that the filing party or attorney has filed the motion in good faith.
- (3) Any motion that, pursuant to Rule 575(A)(2)(g) avers facts not of record and requiring a verification must be created in a physical paper form, have a physical signature placed on it, and then be converted into a .pdf before it may be electronically filed. The original verification shall be maintained by the electronic filer in either electronic or paper format and made available upon direction of the court or reasonable request of the signatory or opposing party.

**(E) Filing Fees.** Applicable filing fees shall be paid through procedures established by the Clerk of Courts and at the same time and in the same amount as required by statute, court rule or order, or published fee schedule.

**(F) Service.** Upon receipt of the legal paper, the Clerk of Courts shall provide the filing party with an acknowledgement, which includes the date and time the legal paper was received by the electronic filing system. The Clerk of Courts 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 by the electronic filing system, the Clerk of Courts 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 was refused for filing by the system, and the reason.

**(G) Confidential Information.** Counsel and unrepresented parties must adhere to the Public Access Policy of the Unified Judicial System of Pennsylvania and refrain from

including confidential information in legal papers filed with the Clerk of Courts whether filed electronically or in a paper format.

**(H) Record on Appeal.** Electronically filed legal papers, and copies of legal papers filed in a paper format as provided in subsection (C)(4), shall become the record on appeal.