

## Montgomery County Orphans' Court Local Rule 3.7A

### Electronic Filing of Legal Papers

- a) ***Authorization for Electronic Filing.*** Effective January 6, 2014, the Clerk of the Orphans' Court of Montgomery County shall accept all legal papers and exhibits either by paper filing or by electronic filing through the Clerk of the Orphans' Court of Montgomery County Electronic Filing System ("Electronic Filing System").
  
- b) ***Electronic Filing of Legal Paper.***
  - 1) ***Format of Legal Papers.*** Legal papers and exhibits to be filed by electronic filing shall be filed in portable document format (.pdf or "PDF"). Any legal paper submitted to the Clerk of the Orphans' Court as a paper filing shall be converted to PDF and the Clerk of the Orphans' Court shall maintain the legal paper in PDF format.
  - 2) ***Original Legal Papers.*** The Clerk of the Orphans' Court may return the original legal paper to the filing party, for retention by the filing party as required by Pennsylvania Supreme Court Orphans' Court Rule 3.7(c)(3), provided that the Clerk of the Orphans' Court shall maintain a complete and accurate paper copy of every legal paper filed in the Clerk of the Orphans' Court file.
  - 3) ***Exhibits.*** Each exhibit to a legal paper shall be filed as a separate PDF document but as part of the same docket entry. If filed electronically, each exhibit shall be uploaded by the filing party as a separate PDF document, associated with the same filing as the legal paper. If a paper filing, each exhibit shall be entered on the docket by the Clerk of the Orphans' Court as a separate PDF document as part of the same docket entry as the legal paper.
  - 4) ***Subsequent filing.*** A party filing a legal paper that is responsive to or related to an earlier filed legal paper in the same matter shall specify the 'Suffix number' (which can be found in the third column on the electronic docket), date and title of the prior legal paper at the time of filing the subsequent legal paper; the suffix number shall be provided either on the Orphans' Court Cover Sheet or in the Electronic Filing System.
  
- c) ***Signature, Verification and Retention of Legal Paper.***
  - 1) The original signature page or pages of any document filed electronically shall be retained by the filing party as required by Supreme Court Rule 3.7(c) and shall be produced upon request of the Court.

- 2) The electronic filing of any legal paper that is required to be verified or signed (including, but not limited to a consent, waiver, joinder, settlement agreement or stipulation), acts as certification by the filing party that a paper copy of the filing was properly signed by attorneys and parties, in all places necessary, and where applicable, that the legal paper has been verified, and that the filing party has retained the signed original.

**d) Website, Access to Website and Filing Date.**

- 1) *Website.* All legal papers to be filed electronically shall be filed through the Clerk of the Orphans' Court Electronic Filing System which shall be accessible through the website of Montgomery County Courts, [www.courts.montcopa.org/courts](http://www.courts.montcopa.org/courts) or at such other website as may be designated from time to time.
  - 2) *Access to Website.* To obtain access to the Electronic Filing System, counsel and any unrepresented party must register with a User Name and Password and must provide a valid e-mail address to which official notices will be sent, and must expressly consent to the receipt of official notices, orders and decrees from the Clerk of the Orphans' Court at the e-mail address or addresses provided.
  - 3) *Access available at all times.* As required by the Supreme Court Orphans' Court Rule 3.7(d)(2), the Clerk of the Orphans' Court shall provide electronic filing access at all times.
  - 4) *Acknowledgement of Receipt of E-filing.* Upon receipt of a legal paper through the Electronic Filing System, the Clerk of the Orphans' Court shall provide the filing party with an electronic acknowledgement that includes the date and time that the legal paper was received by the Electronic Filing System. This receipt does not constitute acceptance (see paragraph 5, below).
  - 5) *Notification of Acceptance or Rejection of Filing.* Upon review, the Clerk of the Orphans' Court will promptly notify the filing party either that the legal paper was accepted for filing or that the legal paper was rejected and the reason for rejection.
- e) Intentionally omitted.
- f) *Fees.* The Clerk of the Orphans' Court will accept for payment of all filing fees the following credit and debit cards: American Express, Discover, MasterCard and Visa.

- g) **Required redaction.** Unless required by an applicable law, rule or order of court, any party or non-party filing a legal paper, as defined in Supreme Court Orphans' Court Rule 2.3, with the Clerk of the Orphans' Court must redact identifying information appearing in the legal paper filed, including in any attachments or exhibits thereto, as follows:
- 1) An individual's social security number or taxpayer identification number (other than the social security number of a deceased individual);
  - 2) An individual's date of birth, provided that the filing may include the year of an individual's birth;
  - 3) With respect to any financial account number, including but not limited to any bank account, investment account, or credit card account, the account number must be redacted, as well as any PIN, password or other number used to secure such account, provided that the filing may include the last four digits of the account number;
  - 4) The Court may, for good cause shown in a specific case, order that additional information must be redacted from any filing, including but not limited to the home street address or driver's license number of a specified individual or the names of minor children;
  - 5) The Court may order the person making a redacted filing to file, in addition, an unredacted copy under seal; and
  - 6) Where the Court has permitted a filing to be made under seal, the court may later unseal the filing and may order the filing party to redact the filing at that time.
  - 7) The responsibility for redacting the identifying information rests with the party or non-party making the filing and his or her counsel and the party or non-party will be responsible for certifying to the Clerk of the Orphans' Court that this Rule has been complied with. Documents will not be reviewed by the Clerk of the Orphans' Court for compliance with this Rule.
  - 8) This rule shall not prevent a filer from providing information to the Clerk of the Orphans' Court required by the Electronic Filing System, including, for example, the social security number of a Decedent or Personal Representative, provided that the information shall be redacted from all attached PDF documents.
  - 9) Any information required to be redacted under this rule, or by Court order, shall not be entered in the "Docket Text" field by the filing party during electronic filing.

h) Intentionally omitted.

i) Intentionally omitted.