

Purdon's Pennsylvania Statutes and Consolidated Statutes
Pennsylvania Local Court Rules--Western Region
Allegheny County
Criminal Division Rules

All.C.R.Crim.P. 576.1

Rule 576.1. Electronic Filing and Service of Legal Papers

Currentness

(A) General Scope and Purpose of the Rule. Pursuant to Pennsylvania Rule of Criminal Procedure 576.1, Electronic Filing and Service of Legal Papers, electronic filing of legal papers through the PACFile electronic filing system is permissive in the Fifth Judicial District, as of November 12, 2019. The Administrative Office of Pennsylvania Courts and the Fifth Judicial District have agreed upon an implementation plan for PACFile in Allegheny County.

(B) PACFile.

(1) The exclusive system for electronic filing in the Criminal Division of the Allegheny County Court of Common Pleas is the PACFile System, developed and administered by the Administrative Office of the Pennsylvania Courts and located on Pennsylvania's Unified Judicial System Web Portal.

(2) Pursuant to Pa.R.Crim.P. 576.1(D)(2), establishment of a PACFile account constitutes consent to participate in electronic filing, including acceptance of service electronically of any document filed on the PACFile system in any judicial district that permits electronic filing.

(3) Any party who declines to participate in the electronic filing system, 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 and shall be served legal papers in a physical paper format whether electronically filed or otherwise, as required by Pa.R.Crim.P. 576.

(C) Legal Papers.

(1) "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, exhibits and attachments, but excluding:

(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) submissions filed ex parte as authorized by law,
 - (e) submissions filed or authorized to be filed under seal, and
 - (f) Requests for Continuances.
- (2) Third party filing of amicus briefs or other third party filings shall not be permitted to be filed electronically.
- (3) The applicable general rules of court and court policies that implement the rules shall continue to apply to all filings of legal papers regardless of the method of filing.
- (4) Any legal paper submitted for filing to the Department of Court Records, Criminal Division in a physical paper format shall be accepted by the Department of Court Records in that format and shall be retained by the Department of Court Records as may be required by applicable rules of Court and record retention policies. The Department of Court Records shall convert such physical paper to electronic format 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) Filing Fees.** Applicable filing fees shall be paid through procedures established by the Department of Court Records and at the same time and in the same amount as required by statute, Court rule or order, or published fee schedule.
- (E) Confidential Information.** Counsel and unrepresented parties must adhere to the Public Access Policy of the Unified Judicial System of Pennsylvania and Allegheny County Local Rules of Judicial Administration 6001.7 and 6001.10 and refrain from including confidential information in legal papers filed with the Department of Court Records or the Court whether filed electronically or in a paper format.

Credits

[Adopted Oct. 18, 2019, effective 30 days after publication in the *Pennsylvania Bulletin*.]

Allegheny Criminal Procedure Rule 576.1, PA R ALLEGHENY CTY CRIM DIV Rule 576.1

Current with amendments received through June 1, 2022. Some rules may be more current, see credits for details.