

1 IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY, PENNSYLVANIA

2 Administrative Order

3 Number 19 of 2023

4 In Re: Amendment of Adams County Rules of Criminal Procedure

5 **ORDER OF COURT**

6 AND NOW, this 15th day of August, 2023, upon recommendation from the State Criminal
7 Rules Committee as to Administrative Order 11 of 2023, IT IS ORDERED that Adams County Rules of
8 Criminal Procedure are amended, as follows:

9 Rule 576.1. Electronic Filing and Service of Legal Papers.

10 A. Pursuant to Pa.R.Crim.P. 576.1, the Administrative Office of Pennsylvania Courts and the 51st
11 Judicial District have agreed upon an implementation plan for electronic filing of criminal legal
12 papers through the statewide system known as PACFile, effective March 9, 2020.

13 B. All parties **identified as electronic filing participants by Pa.R.Crim.P. 576.1(D)** are
14 authorized to electronically file legal papers through PACFile with the clerk of courts in cases
15 in the Adams County Court of Common Pleas, 51st Judicial District.

16 C. Any party **identified as electronic filing participants by Pa.R.Crim.P. 576.1(D)** may[, but is
17 **not required to,**] utilize PACFile for any document except the following:

- 18 1. applications for search warrants,
- 19 2. applications for arrest warrants,
- 20 3. any grand jury materials, except the indicting grand jury indictment or the investigating
21 grand jury presentment,
- 22 4. submissions filed *ex parte* as authorized by law, and
- 23 5. submissions filed or authorized to be filed under seal.

24 **6. exhibits offered into evidence, whether or not admitted, in a court proceeding.**

25 D. Any party who is **ineligible, [unable or] declines, or not otherwise required** to participate in

1 PACFile may file legal papers in a physical paper format with the clerk of courts, and shall be
2 served legal papers in a physical paper format by the clerk of courts and other parties to the
3 case. However, pursuant to Pa.R.Crim.P. 576.1(D)(2), establishment of a PACFile account
4 shall constitute consent to participate in electronic filing, including acceptance of service
5 electronically of any document filed in PACFile.

6 E. Parties utilizing PACFile shall serve physical paper format copies on all parties to the case who
7 do not utilize PACFile, pursuant to Pa.R.Crim.P. 576. When utilizing PACFile, parties shall not
8 be required to serve the court administrator.

9 F. **In the event an attorney enters an appearance for a defendant who was previously**
10 **unrepresented and said defendant established a PACFile account while unrepresented,**
11 **said defendant shall no longer be permitted to utilize PACFile while represented by**
12 **counsel, as defined under Pa.R.Crim.P. 576.1(D).**

13 G. On March 9, 2022, all attorneys shall be required to file criminal legal papers electronically
14 through PACFile in the 51st Judicial District, subject to the provisions in this Rule.

15 This rule amendment shall become effective after all the provisions of the Pennsylvania Rules
16 of Criminal Procedure are met, to include the following:

- 17 a. A certified copy of this order shall be submitted to the Criminal Procedural Rules
18 Committee for review;
- 19 b. Upon receipt of a statement from the Criminal Procedural Rules Committee that the local
20 rules is not inconsistent with any general rule of the Supreme Court, two (2) certified
21 copies of this Order together with a computer diskette that complies with the requirement
22 of 1 Pa. Code §13.11 (b), or other compliant format, containing the text of the local rule(s)
23 adopted hereby shall be distributed to the Legislative Reference Bureau for publication in
24 the Pennsylvania Bulletin;
- 25 c. One (1) certified copy of this Order shall be forwarded to the Administrative Office of the
Pennsylvania Courts;

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- d. A copy of the local rule shall be published on the Unified Judicial System’s website.
- e. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts and the Adams County Law Library for inspection and copying;
- f. The effective date of the local rule shall be 30 days after publication in the Pennsylvania Bulletin.
- g. Upon the effective date this rule, Administrative Order 11 of 2023 shall be VACATED.

BY THE COURT,

MICHAEL A. GEORGE

President Judge

- df
- Board of Judges/Executive Assistants to the Board of Judges
- Court Administration
- Clerk of Courts Office
- Department of Probation Services
- Office of the District Attorney
- Office of the Public Defender
- Law Library
- Adams County Bar Association