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<sup>1</sup> The appended, operational and scheduling protocols for the civil section recognize, *inter alia*, that there are still some ongoing concerns attendant to the COVID-19 public health crisis.

# DELAWARE COUNTY COURT OF COMMON PLEAS

## CIVIL SECTION OPERATIONAL AND SCHEDULING PROTOCOLS

### PURPOSE

Recognizing the Supreme Court of Pennsylvania has directed, *inter alia*, that the commonwealth's judicial districts must continue making constant best efforts to accomplish a full-scale processing of cases and that the COVID-19 public health crisis has as of this date been notably abated, albeit with ongoing modifications by applicable governmental authorities of the previously imposed coronavirus mitigation restrictions, this court in consultation with core systematic stakeholders has developed and is implementing the following described plan as what is intended to be a purposefully measured, transitional, operational increment realizing the balance between the utmost concern of the judiciary for the safety of court staff, all counsel, every litigant, the various witnesses of the parties, and the public generally, while also being mindful of the necessity to once more provide with comprehensive regularity for the timely administration of justice.

That instructed below as material circumstances warrant and/or it otherwise believes appropriate may be revisited by this court without advanced notice and modified to meet the subsequent concerns, if any, presented by the still continuing COVID-19 public health crisis.

### GENERAL SAFETY and OPERATIONAL DIRECTIVES

**ALL** persons entering the Delaware County Courthouse and/or **ANY** offices of judicial agencies **MUST** be in **FULL COMPLIANCE** with **ALL** federal and/or state directives then in place to stem the coronavirus spread, if any, and as may be applicable to a given individual (*E.g.* Fully vaccinated and two (2) weeks subsequent to a final such inoculation shot or unvaccinated).

**ANY** litigant, lawyer, witness and/or other interested party experiencing a dry, persistent cough, shortness of breath-difficulty breathing, chills, muscle pain, sore throat, headache, a loss of smell or taste without congestion, and/or a fever greater than 99.5 Fahrenheit if taken with a temporal thermometer **MUST NOT** report as scheduled, but rather **PROMPTLY NOTIFY** via counsel the presiding judge's chambers that he or she is suffering from such symptoms. The judge through his or her staff will provide direction about a next course of proceeding and relatedly, a subsequent listing date. (If unaware of the assigned and/or presiding judge, an interested party and/or the involved attorney should instead contact the District Court Administrator's Office – 610 891-4557.)

August 12, 2021

ANY litigant, lawyer, witness and/or other interested party having been tested and/or diagnosed by a physician positive for COVID-19 **AND** resultantly still being under a medical professional's quarantine instruction **SHALL NOT** report as scheduled, but instead **MUST PROMPTLY** by the involved lawyer notify **PRIOR TO THE LISTED DATE** the assigned judge and follow the salient direction of the designated judge through his or her chambers personnel. (If unaware of the assigned and/or presiding judge, an interested party and/or counsel should instead contact the District Court Administrator's Office – 610-891-4557.)

ANY member of the general public experiencing a dry, persistent cough, shortness of breath-difficulty breathing, chills, muscle pain, sore throat, headache, a loss of smell or taste without congestion, and/or a fever greater than 99.5 Fahrenheit if taken with a temporal thermometer **SHALL NOT** enter the Delaware County Courthouse and/or **ANY** judicial departmental offices.

ANY member of the general public having been past tested and/or diagnosed by a physician positive for the coronavirus **AND** resultantly yet being under a medical professional's quarantine directive **SHALL NOT** then enter the Delaware County Courthouse and/or **ANY** judicial agency's office.

Subject to that detailed above (*E.g.* person under a treating doctor's COVID-19 quarantine instruction) and/or below (*E.g.* because of the reconfiguration of jury seating in a given courtroom, there is otherwise inadequate spacing to permit sufficient social distancing), **ALL** criminal trial court proceedings **MUST** be open to the public generally.

**ANY** credentialed members of the media wanting to attend a criminal listing and advised by judicial personnel staffing a courtroom – hearing room that access to the same cannot then be allowed due to space constrains should contact District Court Administrator Gerald C. Montella, Esquire (610 892-4557) to allow for reasoned, immediate access. It is suggested that credentialed media members should contact the District Court Administrator, Gerald C. Montella, Esquire (610 891-4557), in advance to arrange to attend any proceeding expected to garner appreciable public interest. (Should the press attention in a given matter be of such a nature that permitting all requesting media members *in-person* access be contrary to then applicable public health guidelines (*E.g.* due to the appreciable numbers present adequate distance in a courtroom not possible), if any, the District Court Administrator in collaboration with interested press will create a pool of representative media members to attend *in-person* such court proceedings.

Unless the presiding judge and/or another judicial officer directs the contrary, credentialed press members will still be able to listen to audio recordings of the court proceedings at the Office of Court Electronic Recording as arranged through its director, Richard J. Coogan (610 891-4477). No more than one (1) media representative may at a given moment be in the Court Electronic Recording Office.

Should a member of the general public want access to a certain court proceeding he or she was currently not permitted to attend *in-person*, arrangements may be made immediately subsequent to any such listing's conclusion for a person to review an audio recording of a particular hearing – trial, unless the presiding judge and/or another judicial authority via his or her order direct otherwise, by contacting its director, Richard J. Coogan (610 891-4477), to listen to at the Court Electronic Recording Office the same.

**ALL *in-person* listings MUST** be held in a manner to reasonably restrict COVID-19 exposure and undertaken wholly consistent with the Centers of Control for Disease and Prevention coronavirus guidelines, as well as other such federal, state, and/or county public health directives, if any. The presiding judge as he or she believes necessary to assure compliance with any governmental instruction designed to stem the COVID-19 spread may limit the number of persons permitted at a given time in a courtroom – hearing room, as well as direct such additional safeguards (*E.g.* wearing of a mask) he or she reasonably believes is warranted.

Court officers assigned to the entry door of every operational courtroom – hearing room will be tasked subject to any such specific directive(s) of the presiding judge with the general responsibility of managing in accord with this protocol the number of people at any given moment permitted in any courtroom – hearing room. As should be necessary, court officers may *temporarily* prohibit entry into a courtroom – hearing room and rather direct counsel, any interested parties, witnesses and/or the public generally to remain in the outer waiting area or that unused courtroom and/or another area of the courthouse complex (*E.g.* a then unused courtroom – hearing room) then designated for overflow purposes by the District Court Administrator, if any.

If a court officer encounters difficulties and/or the refusal of any interested party, a lawyer, witness and/or member of the public in following his or her direction about entering a courtroom – hearing room and/or maintaining sufficient distancing in a courtroom – hearing room, the same **MUST** be promptly reported to the presiding judge and if such personnel are present, deputy sheriffs and/or park police officers.

Continued failure of an interested party, counsel, witness and/or member of the public to follow the governmental directives, if any, and/or those of the presiding judge, whether instructed by the jurist or through a court crier – court officer, material to stemming the coronavirus spread may, *inter alia*, result in any such individual's immediate removal from the courthouse – governmental complex by sworn personnel of the Delaware County Park Police or the Delaware County Sheriff's Office. In the event a person for this non-compliance is removed from the courthouse complex, involved law enforcement are to promptly notify the judge presiding of the matter involving that party, lawyer, and/or witness of the removal.

**ALL** courtrooms – hearing rooms utilized for *in-person* proceedings will following the conclusion of a given day's cases be sanitized, as will those areas of the courthouse commonly

used for individuals to get to and from a courthouse – hearing room (E.g. courthouse’s public elevators and the stairwell to the second floor).

## CIVIL SECTION

### General Scheduling through September 16, 2021

*From the present through and including Thursday, September 16, 2021*, the four (4) judge, civil section will remain temporarily structured into two (2) subgroups as follows: Judges Dozor and Whelan; and Judges Angelos and Eckel. BOTH judges of each team during a given week will generally have for their respective use courtrooms (Nos. 7 and 8) available with the second team of judges sitting the next week.

*For now and continuing through Thursday, September 16, 2021*, on those alternating weeks they will be sitting, Judge Dozor will utilize courtroom No. seven (7) while Judge Whelan will be in courtroom No. eight (8). For those every other weeks they are listed to sit, Judge Angelos will use courtroom No. seven (7) and Judge Eckel courtroom No. eight (8).

Attached and wholly incorporated by reference is the civil section, master calendar<sup>1</sup> for the months of August through December 2021 detailing, *inter alia*, the specific, two (2), civil judges sitting.

*From the present until and including Thursday, September 16, 2021*, to maximize the use of the two (2), operational, civil courtrooms, a judge listed to sit in a certain week will promptly notify the other team’s two (2) judges of any one-half (1/2) or greater day when he or she does not need the courtroom so as a colleague jurist believes appropriate she or he may then list and address his or her cases.

Any judge assuming a court week, in whole or in part, of another jurist **MUST** without exception sit in the courtroom of the originally assigned judge because of the first-floor courtrooms being scheduled on a rotational basis each week among both the civil and family sections.

*From the present through and including Thursday, September 16, 2021*, various hearings as the assigned civil judge believes appropriate will continue to be scheduled, including but not limited to arguments, contested-pretrial evidentiary hearings and/or non-jury trials. **ALL** these listings will be just those cases reasonably expected to conclude within that week. Such schedulings, including but not limited to contested evidentiary matters, may be conducted as the designated judge believes proper through some manner of advanced communication technologies (“ACT”), *in-person* and/or such a combination. (E.g. A witness appearing via video conferencing while the lawyers are *in-person* before the presiding judge.)

***For now and continuing through Thursday, September 16, 2021, ALL*** emergency filings will consistent with long-standing administrative protocols be assigned to a civil section judge on a rotational basis as directed by the civil liaison. The designated civil jurist on a review of any emergent pleading will schedule those next proceedings as she or he believes to be appropriate. If the reviewing judge determines the salient circumstances are such that an emergent hearing should be held, those proceedings to the extent possible may at the court's discretion be conducted via ACT, subject to applicable constitutional restrictions, if any, particularly should the involved judge not be listed to sit that week.<sup>2</sup> In the event the presiding judge determines an *in-person*, emergency hearing must be conducted, the listing of the same is to be coordinated through the District Court Administrator to assure, *inter alia*, necessary courtroom availability.

***From the present until and including Thursday, September 16, 2021***, the assigned and/or presiding civil judges may continue to schedule as is believed appropriate pretrial – case management conferences. ANY pretrial – case management conferences listed on a day a judge is not scheduled and/or otherwise does not have access to one (1) of the two (2), operational, civil courtrooms **MUST** be held with all parties, including but not limited to counsel and/or self-represented individuals, participating via some manner of ACT, which as the presiding judge believes appropriate may be of-record. **ALL** pretrial – case management conferences with *in-person* participants and/or some combination of ACT and *in-person* appearances are to be set in court for those dates per the attached, sectional calendar<sup>3</sup> the assigned and/or judge presiding is then otherwise listed to sit in one (1) of the two (2), operational, civil courtrooms.

***For now and continuing through Thursday, September 16, 2021***, and consistent with this judicial district's (32<sup>nd</sup>) individual calendaring system, each civil judge will be responsible for scheduling his or her assigned cases as he or she believes appropriate, along with providing all interested parties timely notice of the same.

***From the present through and including, Thursday, September 16, 2021***, there will be no *in-person* appearances involving inmates of any county, state, and/or federal penal facility before the civil courts, but rather in **ALL** listings where a party and/or witness is for whatever the reasons incarcerated, any such person will participate through some ACT means, assuming the prisoner party's agreement. **ALL** inmate witnesses **MUST** for now appear by ACT. **ANY** prisoner of a county, state, and/or federal correctional institution being a named party and wanting to proceed with an *in-person* listing will have his or her matter continued until at least September 17, 2021.

***Arbitration Panel Hearings through September 16, 2021***

***For now until and including Thursday, September 16, 2021, in-person*** arbitration panel hearings will continue. For documented medical cause shown (*E.g.* underlining medical conditions making one more vulnerable to the impact of COVID-19 and has been instructed by a treating physician to avoid public settings), **ANY** litigant, attorney, witness and/or interested party

wanting to appear and participate via some type of ACT (advanced communication technologies) in lieu of *in-person* **MUST** notify the Court Administrator’s involved arbitration staff ***no less than seven (7) business days prior to the scheduled date*** to allow for a review of that request and/or if allowed, those necessary arrangements to be made. (These requests are to be timely submitted by email to the Court Administrator’s Arbitration Office at [DelcoArbitration@co.delaware.pa.us](mailto:DelcoArbitration@co.delaware.pa.us).)

***For now and continuing through and including Thursday, September 16, 2021***, salient personnel of the Court Administrator’s Office will timely provide all interested parties written notice as to the date, time and location of arbitration panel schedulings and are expected in such regard to make good faith efforts to afford reasonable advanced notification of both initial listings and any necessary reschedulings.

***From the present through and including Thursday, September 16, 2021***, arbitration hearings consistent with the number of open and unresolved cases in the arbitration program currently listed will be scheduled weekly, Monday through Friday. The number of cases set daily for a panel will be a function of a given matter’s nature and expected length as determined by the Court Administrator’s arbitration staff. **ALL** panels will be expected to sit a full day.

***For now and continuing through and including Thursday, September 16, 2021***, on those days multiple panels are sitting (*I.e.* Mondays through Thursdays and possibly Fridays), each panel will continue to have a staggered start time (*E.g.* panel A begins at 8:45 a.m., panel B at 9:00 a.m. starts, and panel C commences at 9:15 a.m.) with every case listed daily assigned such a time certain as determined appropriate by the Court Administrator’s involved arbitration personnel.

***From the present until and including Thursday, September 16, 2021***, for **ALL** arbitration hearings, including but not limited to those conducted fully or partially by some ACT means (*E.g.* the lawyers and/or one of the parties present *in-person* while the other litigant participates through some form of ACT) copies of **ANY** reasonably anticipated evidentiary exhibits **MUST** be exchanged among counsel and/or any self-represented parties at least five (5) days prior to the scheduled listing. It is relatedly the responsibility of the party offering such evidence to provide at the arbitration hearing paper or “hard” copies of **ANY** documents, including case pleadings, if requested by the panel, and in a sufficient number for both **ALL** arbitrators and the other party.

***From the present through and including Thursday, September 16, 2021***, to as best as possible maximize the court time of these arbitration lists, **ANY** continuance application ***must be made timely known to the Court Administrator’s Arbitration personnel***. As before, arbitration matter continuance applications are to be submitted through the court’s civil e-filing system at least five (5) business days prior to the listed date, absent extraordinarily compelling circumstances to the contrary. This “Application for Continuance” form is available through the District Court Administrator’s webpage - <https://www.delcopa.gov/courts/administration/index.html>. (Under the “Court Administration Navigation” heading and to the page’s far right is a “Forms” tab which when “clicked” or followed will lead to such a document. The “Application for Continuance”

form is the first item under the “Court Administrator Forms” listing. Anyone having questions and/or in need of assistance with the processing of an arbitration case continuance application may call (610) 891-8757.)

**Civil Miscellaneous Lists through September 16, 2021**

***For now and continuing through Thursday, September 16, 2021***, civil miscellaneous lists will proceed per the attached, sectional calendar<sup>4</sup> on the following dates: August 24, 2021; and September 14, 2021. (The civil miscellaneous listings are noted on the appended calendar as “MJ.”) Having overall staggered start times, this civil miscellaneous list as a function of total case numbers may be divided among multiple judges with each of the sitting jurists based on past civil miscellaneous lists experiences having a morning and afternoon session.

Any party seeking a rescheduling of a civil miscellaneous matter **MUST FULLY AND TIMELY** complete the “Application for Continuance” accessible via the District Court Administrator’s webpage - <https://www.delcopa.gov/courts/administration/index.html>. (Under the “Court Administration Navigation” heading and to the page’s far right is a “Forms” tab which when “clicked” or followed will lead to this document. The “Application for Continuance” form is the first item under the “Court Administrator Forms” listing.) This completed continuance application must be e-filed at least five (5) business days prior to the scheduled listing, absent extraordinarily compelling circumstance to the contrary.

**License Suspension Appeals Through September 16, 2021**

***From the present until and including September Thursday, September 16, 2021***, a party requesting a rescheduling of license suspension appeal must wholly complete the “Application for Continuance” form found on the District Court Administrator’s webpage – <https://delcopa.gov/courts/administration/index.html>. (Under the “Court Administration Navigation” heading and to the page’s far right is a ‘Forms’ tab which when “clicked” or followed will lead to that document. The “Application for Continuance” form is the first item under the “Court Administrator Forms” listing.) Absent extraordinarily compelling circumstances otherwise, this completed continuance application form must be e-filed at least five (5) business days prior to the scheduled listing.

**General Scheduling and Jury Trial Resumption as of September 17, 2021**

**EFFECTIVE SEPTEMBER 17, 2021**, and as the attached, sectional calendars further detail, two (2) of the four (4) civil judges will continue to be listed to sit, but then for two (2) week terms with each of those judges having a specific slot Friday to select weekly a jury. Jury selection on this day (Fridays) for the noted judges will commence in the morning promptly at 9:00 a.m. and an afternoon selection of a second jury beginning at 2:00 p.m. sharp.

**STARTING SEPTEMBER 17, 2021**, ALL civil jury selection will take place in courtroom No. 1. As the presiding judge in her or his reasonable discretion believes appropriate, individual *voir dire* may take place at sidebar, in the robing and/or hearing room A-1 (located in the front hallway across courtroom No. 3). Once seated, the presiding judge, counsel, the interested parties and the jury for the conducting of the trial will relocate to an assigned courtroom. The courtrooms which will be utilized for civil jury trials are Nos. 7 and 8. Counsel and/or any other interested party should contact the chambers of the assigned judge to learn regarding a specific trial in what courtroom he or she will be sitting. Alternatively, designated courtroom questions can be directed to Court Administrator's Office (610 891- 4550).

**EFFECTIVE SEPTEMBER 17, 2021**, the judge when presiding over a jury trial in his or her reasoned discretion may have the jurors dispersed in the assigned seats throughout the courtroom's body per the appended, reconfigured courtroom charts' **OR** seated in the jury box. The presiding judge in the exercise of her or his reasonable discretion may also during the trial and at its conclusion for such purposes have the jurors utilize the assigned courtroom's deliberation room. (*E.g.* Jurors report in the morning to the designated deliberation room and/or jurors during recesses are directed to the deliberation room.) Likewise, as the presiding judge in his or her reasoned discretion believes appropriate, the jury may hear the trial while in the reconfigured seats about the courtroom's body<sup>6</sup> and be instructed to report to the assigned deliberation room, as well as directed to the deliberation room during recesses and/or for purposes of deciding the case. Conversely, the presiding judge in the exercise of his or her reasonable discretion may seat the jurors in the box when hearing the trial's evidentiary presentation and instruct that the jury then deliberate to a verdict in the assigned courtroom with court officers, deputy sheriffs and/or park police at the start of the deliberative process until its conclusion being assigned to the hallways just outside any such courtroom's entrances door(s) to assure necessary confidentiality.

**AS OF SEPTEMBER 17, 2021**, for those matters during the course of the trial a judge must entertain outside the of the juror's presence, as well as with the interested parties direct participation, **AND** where the presiding judge has opted not to utilize the assigned deliberation room, hearing rooms A-1, E, and/or F will be available. The Office of the District Court Administrator will via a daily email notify the two (2) civil judges then sitting for such purposes which hearing room (A-1, E, and/or F) on a given day are available. **ALL** these emails will be copied to **BOTH** of the scheduled judges' chambers clerical personnel. (Because of formal arraignments continuing to be held in hearing room E, as well the criminal judges possibly needing such similar access to an of-record site other than their assigned courtrooms, there will be days not all these hearing rooms (A-1, E, and/or F) will be available; however, there should at all times at least one (1) such location reasonably accessible to a civil judge presiding over a jury trial.

*The various, electronic equipment in the civil courtrooms (Nos. 7 and 8) attendant to the reconfigured positioning of jurors may ONLY be moved and/or repositioned otherwise by Legal Audio Visual Office (Ext. 4577) and/or Court Electronic recording (Ext. 4477) personnel.* (When so requested, staff of the Offices of Legal Audio Visual and/or Court Electronic Recording will

promptly respond to address the same.) **UNDER NO CIRCUMSTANCES ARE ANY OTHER COURT STAFF TO RELOCATED ANY SUCH ELECTRONIC EQUIPMENT.**

**BEGINNING SEPTEMBER 20, 2021**, a courtroom or hearing room **MAY** be available *on request* for case specific use by the civil judges then having an office week(s) and/or whose courtroom(s) are not available because of ongoing jury deliberations *for any type non-jury* proceeding. Any judge having such a need **MUST** request the same *in advance* via an email to District Court Administrator, Gerald C. Montella, Esquire, copied to Mary E. Donnelly, Project Specialist. It is **ONLY** after the Court Administrator's Office has confirmed such availability that a designated courtroom or hearing room may be used. These emailed requests **MUST** note **BOTH** the sought-after date **AND** anticipated time needed (*E.g.* a half day beginning at 9:00 a.m.).

**EFFECTIVE SEPTEMBER 17, 2021**, the civil judges then scheduled to be in court<sup>7</sup> can in addition to jury trials list any other type matter believed appropriate, including but not limited to arguments, contested-pretrial evidentiary hearings and/or non-jury trials. **ALL** these schedulings will be just those cases reasonably expected to conclude within that two (2) week trial term.

**BEGINNING SEPTEMBER 17, 2021**, the assigned and/or presiding civil judges can continue to list as is believed appropriate pre-trial – case management conferences. **ANY** pre-trial – case management conferences set on a day a judge is not scheduled and/or otherwise does not have access to one (1) of the two (2) operational, civil courtrooms **MUST** be held with all parties, including but not limited to counsel and/or self-represented persons, participating via some manner of ACT, which as the involved judge believes appropriate may be of-record. **ALL** pretrial – case management conference with *in-person* participants and/or some combination of ACT and *in-person* appearances are to be set in court for those dates per the appended, calendars<sup>8</sup> the assigned and/or judge presiding is then otherwise scheduled to sit in an operational, civil courtroom.

**AS OF FRIDAY, SEPTEMBER 17, 2021**, **ALL** emergency filings will continue consistent with long-standing administrative protocols to be assigned to a civil section judge on a rotational basis as directed by the civil liaison. The designated civil jurist on reviewing any emergent pleading will schedule those next proceedings she or he believes to be appropriate. If the assigned judge determines the salient circumstances are such that an emergent hearing should be held **AND** that jurist is not then calendared to be in court<sup>9</sup> and/or the nature of the emergent claim is such that a hearing should not be delayed until the judge is next scheduled for court, timely contact should be made with counsel and/or any self-represented parties to determine if by agreement proceedings can be conducted via ACT, subject to applicable constitutional restrictions, if any. In the event the presiding judge determines an *in-person*, emergency hearing must be conducted prior to that jurist per the attached, sectional calendars<sup>10</sup> being scheduled for court, the listing of the same is to be coordinated through the District Court Administrator to arrange necessary courtroom – hearing room availability.

Civil Miscellaneous Lists Beginning September 17, 2021

Civil miscellaneous lists will proceed per the attached, civil section calendars on the following dates: September 28, 2021; October 12, 2021; October 26, 2021; November 9, 2021; November 16, 2021; December 14, 2021; and December 21, 2021. (The individual judges assigned to these miscellaneous hearing dates are those then not otherwise scheduled to be in court so as to avoid any disruption of an ongoing jury trial.) The Office of the District Court Administrator will timely arrange for **ALL** these civil miscellaneous lists an assigned courtroom – hearing room.

Again, any party seeking a rescheduling of a civil miscellaneous matter **MUST FULLY** and **TIMELY** complete the “Application for Continuance” accessible via the District Court Administrator’s webpage - <https://www.delcopa.gov/courts/administration/index.html>. (Under the “Court Administration Navigation” heading and to the page’s far right is a “Forms” tab which when “clicked” or followed will lead to this document. The “Application for Continuance” form is the first item under the “Court Administrator Forms” listing.) This completed continuance application must be e-filed at least five (5) business days prior to the scheduled listing, absent extraordinarily compelling circumstance to the contrary.

Arbitration Panel Hearings Beginning September 17, 2021

*In-person* arbitration panel hearings consistent with the number of open and unresolved cases in the arbitration program will continue to be scheduled by salient Court Administrator Office staff weekly, Monday through Friday. The number of cases listed daily for a panel will be a function of a given case’s nature and expected length as involved personnel of the Court Administrator’s Office may determine.

Salient staff of the Court Administrator’s Office will timely provide all interested parties written notice as to the date, time and location of arbitration panel schedulings and are expected in such regard to make good faith efforts to afford reasonable advanced notification of both initial listings and any necessary reschedulings.

**EFFECTIVE SEPTEMBER 17, 2021**, on those days multiple panels are sitting (*i.e.* Mondays through Thursdays and possibly Fridays), each panel will continue to have a staggered start time (*E.g.* panel A begins at 8:45 a.m., panel B at 9:00 a.m. starts, and panel C commences at 9:15 a.m.) with every case listed daily assigned such a time certain as determined appropriate by the Court Administrator’s involved arbitration personnel. **ALL** panels will be expected to sit a full day.

**BEGINNING SEPTEMBER 17, 2021**, for **ALL** arbitration hearings, copies of **ANY** reasonably anticipated evidentiary exhibits **MUST** be exchanged among counsel and/or any self-represented parties at least five (5) days prior to the scheduled listing. It is also the responsibility

of the party offering such evidence to provide at the arbitration hearing paper or “hard” copies of ANY documents, including case pleadings, if requested by the panel, and a sufficient number for both ALL arbitrators and the other party.

**CONTINUING AS OF SEPTEMBER 17, 2021, ANY** arbitration continuance application *must be timely made known to the Court Administrator’s Arbitration staff*. As before, arbitration matter continuance applications are to be submitted through the court’s civil e-filing system at least five (5) business days prior to the listed date, absent extraordinarily compelling circumstances to the contrary. This “Application for Continuance” form is available through the District Court Administrator’s webpage - <https://www.delcopa.gov/courts/administration/index.html>. (Under the “Court Administration Navigation” heading and to the page’s far right is a “Forms” tab which when “clicked” or followed will lead to such a document. The “Application for Continuance” form is the first item under the “Court Administrator Forms” listing. Anyone having questions and/or in need of assistance with the processing of an arbitration case continuance application may call (610) 891-8757.)

#### **License Suspension Appeals**

**STARTING SEPTEMBER 17, 2021**, and in accord with such past practices, a party requesting a rescheduling of license suspension appeal **MUST WHOLLY** complete the “Application for Continuance” form found on the District Court Administrator’s webpage – <https://delcopa.gov/courts/administration/index.html>. (Under the “Court Administration Navigation” heading and to the page’s far right is a “Forms” tab which when “clicked” or followed will lead to that document. The “Application for Continuance” form is the first item under the “Court Administrator Forms” listing.) Absent extraordinarily compelling circumstances otherwise, this completed continuance application form must be e-filed at least five (5) business days prior to the scheduled listing.

#### **Inmate Transportation Beginning September 17, 2021**

As can be reasonably arranged through the Delaware County Sheriff’s Office, *in-person* appearances involving inmates of any county, state and/or federal penal facility before the civil courts *may* resume. (It is strongly suggested that before any such schedulings are set that the Sheriff’s Office first be consulted to confirm its availability.) Although *as of September 17, 2021*, prisoners can again appear *in-person* for civil proceedings, it is recommended, particularly for inmate witnesses, that due consideration be given for such purposes to utilizing some available ACT means.

#### **Generally Applicable Protocols**

For reasons such as vacations, the attached civil section calendars<sup>11</sup> are subject to change, in whole or part. Any such modifications to the appended, sectional calendars are to be coordinated through the District Court Administrator or his designee and/or the president judge. Once these changes have been processed by the District Court Administrator (or his designee) and/or the

president judge, the involved civil judge(s) are to make the same timely known to **ALL** counsel and/or interested parties.

Recognizing this judicial district's thirty-second (32<sup>nd</sup> – Delaware County) individual calendaring system, each criminal judge will remain responsible for scheduling his or her assigned cases as he or she believes appropriate, including but not limited to jury trials, along with providing **ALL** lawyers and interested parties reasonable notice of the same.

To facilitate the timely selection of a jury in both the mornings and the afternoons of Fridays, **ALL** involved attorneys **AND** parties **MUST** report at the time the presiding judge directs, as well as then be prepared to immediately proceed. Failure of a lawyer and/or party to timely appear may, *inter alia*, result in the court continuing the case and instead moving to trial on another matter then scheduled.

To maximize the use of the two (2), operational, civil courtrooms, a judge listed to sit in a certain trial term will promptly notify the two (2) judges then having office weeks of any one-half (1/2) or greater day when he or she does not need the courtroom so as a colleague jurist believes appropriate she or he may then list and address his or her cases.

Any judge assuming a court week, in whole or part, of another jurist **MUST** without exception sit in the courtroom of the originally assigned judge because of the first-floor courtrooms being scheduled on a rotational basis each week among both the civil and family sections.

The assigned judge where he or she believes is appropriate and proper as part of pretrial conferences and/or otherwise will encourage the litigants through the lawyers to participate in binding arbitration with such mediation costs shared as the parties may agree. The designated judge may relatedly as she or he feels is warranted refer matters for conciliator mediation conferences to the Honorable Charles B. Burr, II (retired) per that further detailed below, and/or the Delaware County Bar Association's mediation program.

**ALL** cases currently and subsequently referred for conciliator mediation conferences before the Honorable Charles B. Burr, II (retired) will be listed and/or rescheduled consistent with retired Judge Burr's calendar. These conciliation conferences at retired Judge Burr's discretion may be held through available ACT's, *in-person*, and/or some ACT and *in-person* combination.

**ALL** parties whether *pro se* or represented by an attorney **MUST** meaningfully engage in good faith discovery consistent with **ANY AND ALL** such salient trial court orders and/or directives, including but not limited to depositions conducted to the extent practicable via some manner of available advanced communication technology (ACT), subject to applicable constitutional limitations, if any. "To the degree necessary, attorneys should counsel their clients that the public health emergency can in no way be used to secure strategic advantage in litigation, including by means of dilatory conduct[.]" particularly relative to the timely exchange of **ANY AND ALL** discoverable materials, whether the same is required by an applicable procedural rule,

mandated by a relevant trial court order, compelled by some other legal authority, and/or expected by the lawyers' agreement.<sup>12</sup>

Counsel and ALL other interested parties are to be reminded that Delaware County's civil, nonfamily, e-filing system remains operational and allows, *inter alia*, for the lodging and docketing of wide ranging pleadings as further detailed by Delaware County Local Rule 205.4 related to electronic filing and service of legal papers.<sup>13</sup>

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<sup>1</sup> See Attached Civil Section Calendars.

<sup>2</sup> See Attached Civil Section Calendars.

<sup>3</sup> See Attached Civil Section Calendars.

<sup>4</sup> See Attached Civil Section Calendars.

<sup>5</sup> See Attached Reconfigured Courtroom Seating Charts.

<sup>6</sup> See Attached Reconfigured Courtroom Seating Charts.

<sup>7</sup> See Attached Civil Section Calendars.

<sup>8</sup> See Attached Civil Section Calendars.

<sup>9</sup> See Attached Civil Section Calendars.

<sup>10</sup> See Attached Civil Section Calendars.

<sup>11</sup> See Attached Civil Section Calendars.

<sup>12</sup> See Order dated April 20, 2020, p. 10 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket.

<sup>13</sup> A copy of Delaware County Local Rule 205.4 is attached and by reference wholly incorporated.

**CIVIL CALENDAR  
2021**

**August**

**September**

	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F
	2	3	4	5	6	9	10	11	12	13	16	17	18	19	20	23	24	25	26	27	30	31	1	2	3
Liaison Judge Dozor	O	O	O	O	O	TR	MJ	TR	TR	TR	O	O	O	O	O	TR	MJ	TR	TR	TR	O	O	O	O	O
Judge Angelos	TR	TR	TR	TR	TR	O	O	O	O	O	TR	TR	TR	TR	TR/SS	O	O	O	O	O	TR	TR	TR	TR	TR
Judge Whelan	O	O	O	O	O	TR	MJ	TR	TR	TR	O	O	O	O	O	TR	MJ	TR	TR	TR	O	O	O	O	O
Judge Eckel	TR	TR	TR	TR	TR	O	O	O	O	O	TR	TR	TR	TR	TR/SS	O	O	O	O	O	TR	TR	TR	TR	TR

O = Office

TR = Non-Jury Trials & Hearings

MJ = Motion Hearing List Day

SS = Sheriff Sale

**CIVIL CALENDAR  
2021**

**September**

**October**

	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	
	6	7	8*	9*	10*	13	14	15	16	17	20	21	22	23	24	27	28	29	30	1	
Liaison Judge Dozor		TR	TR	TR	TR	TR	TR	TR	TR	TR/AM	TR	TR	TR	TR	TR	TR	TR	TR	TR	TR	
Judge Angelos		O	O	O	O	O	O	O	O	SS	O	O	O	O	O	O	O	O	O	O	TR/AM
Judge Whelan		TR	TR	TR	TR	TR	TR	TR	TR	TR/PM	TR	TR	TR	TR	TR	TR	TR	TR	TR	TR	TR
Judge Eckel		O	O	O	O	O	MJ	O	O	O	O	O	O	O	O	O	MJ	O	O	O	TR/PM

O = Office

TR = Non-Jury Trials & Hearings

MJ = Motion Hearing List Day

SS = Sheriff Sale

\*Bench Bar

**CIVIL CALENDAR  
2021**

**October**

	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	
	4	5	6	7	8	11	12	13	14	15	18	19	20	21	22	25	26	27	28	29	
Liaison Judge Dozor	O	O	O	O	O	X	O	O	O	TR/AM	TR	TR	TR	TR	TR	TR	TR	TR	TR	TR	
Judge Angelos	TR	TR	TR	TR	TR	X	TR	TR	TR	TR	O	O	O	O	O	O	MJ	O	O	TR/AM	
Judge Whelan	O	O	O	O	O	X	MJ	O	O	TR/PM	TR	TR	TR	TR	TR	TR	TR	TR	TR	TR	
Judge Eckel	TR	TR	TR	TR	TR	X	TR	TR	TR	SS	O	O	O	O	O	O	O	O	O	O	TR/PM

O = Office

TR = Non-Jury Trials & Hearings

MJ = Motion Hearing List Day

SS = Sheriff Sale

**CIVIL CALENDAR  
2021**

**November**

**December**

	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F
	1	2	3	4	5	8	9	10	11	12	15	16	17	18	19	22	23	24	25	26	29	30	1	2	3
Liaison Judge Dozor	O	X	O	O	O	O	MJ	O	X	TR/AM	TR	TR	TR	TR	TR	TR	TR	TR	X	X	TR	TR	O	O	O
Judge Angelos	TR	X	TR	TR	TR	TR	TR	TR	X	TR	O	O	O	O	SS	O	O	O	X	X	O	O	TR	TR	TR
Judge Whelan	O	X	O	O	O	O	O	O	X	TR/PM	TR	TR	TR	TR	TR	TR	TR	TR	X	X	O	O	O	O	O
Judge Eckel	TR	X	TR	TR	TR	TR	TR	TR	X	TR	O	MJ	O	O	O	O	O	O	X	X	TR	TR	TR	TR	TR

O = Office

TR = Non-Jury Trials & Hearings

MJ = Motion Hearing List Day

SS = Sheriff Sale

**CIVIL CALENDAR  
2021**

**December**

	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F
	6	7	8	9	10	13	14	15	16	17	20	21	22	23	24	27	28	29	30	31
Liaison Judge Dozor	O	O	O	O	TR/AM	TR	TR	TR	TR	TR	O	MJ	O	O	<del>X</del>	<del>X</del>	O	O	O	<del>X</del>
Judge Angelos	TR	TR	TR	TR	TR	O	MJ	O	O	O	TR	TR	TR	TR	<del>X</del>	<del>X</del>	TR	TR	TR	<del>X</del>
Judge Whelan	O	O	O	O	TR/PM	TR	TR	TR	TR	TR	O	O	O	O	<del>X</del>	<del>X</del>	O	O	O	<del>X</del>
Judge Eckel	TR	TR	TR	TR	TR	O	O	O	O	SS	TR	TR	TR	TR	<del>X</del>	<del>X</del>	TR	TR	TR	<del>X</del>

O = Office

TR = Non-Jury Trials & Hearings

MJ = Motion Hearing List Day

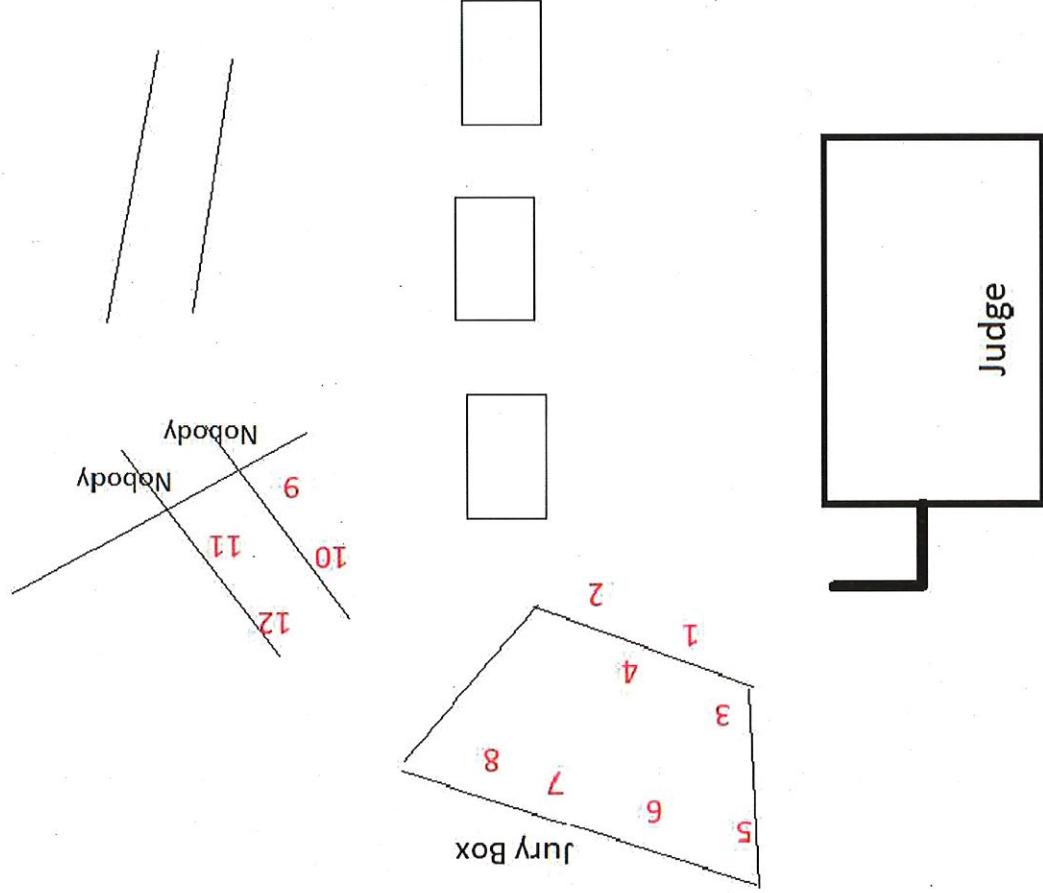
SS = Sheriff Sale



**32<sup>ND</sup> JUDICIAL DISTRICT  
OF PENNSYLVANIA**

Delaware County Courthouse  
201 W. Front Street  
Media, Pennsylvania 19063

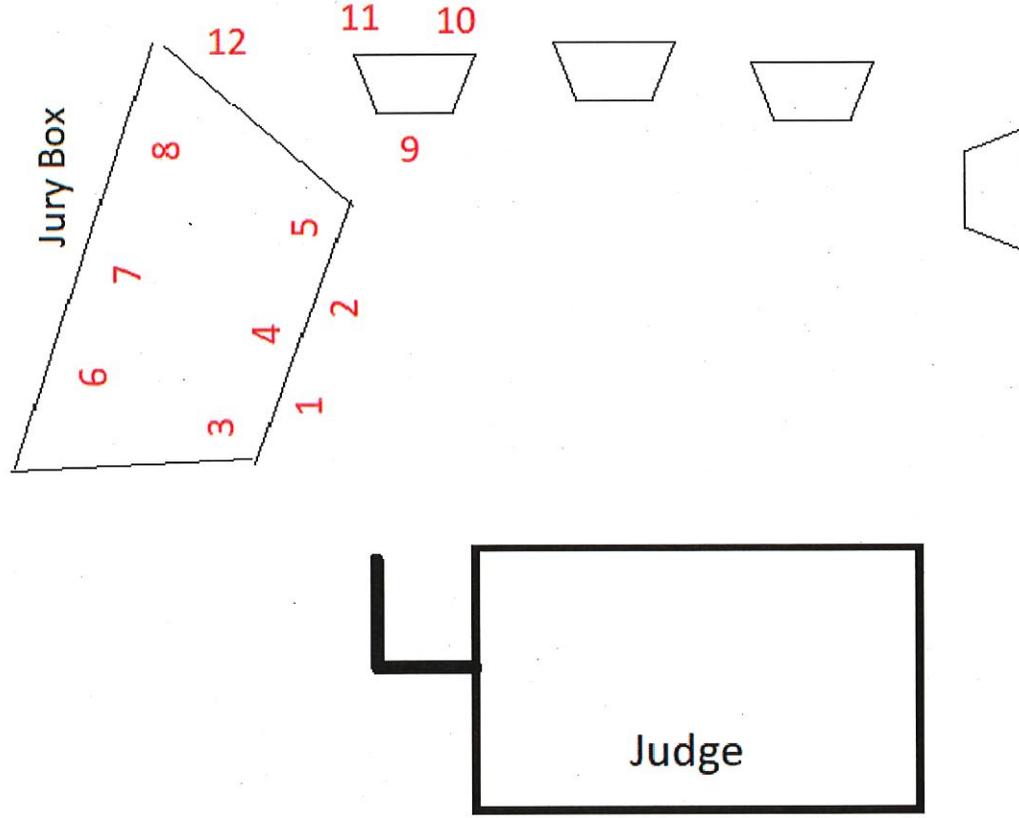
**Courtroom 7 – Jury Seating Chart**



**32<sup>ND</sup> JUDICIAL DISTRICT  
OF PENNSYLVANIA**

Delaware County Courthouse  
201 W. Front Street  
Media, Pennsylvania 19063

**Courtroom 8 – Jury Seating Chart**



## DELAWARE COUNTY LOCAL RULE 205.4

### (a) (1) Commencement

- (i) On the commencement date, all parties may electronically file all “legal papers” as defined in Pa.R.C.P. No. 205.4 (a)(2), with the Office of Judicial Support through Delaware County’s Electronic Filing system as more specifically provided in Pennsylvania Rule of Civil Procedure No. 205.4 and Delaware County Civil Rule 205.4,
- (ii) Ninety (90) days from the commencement date, parties shall electronically file all “legal papers” as defined in Pa.R.C.P. No. 205.4 (a)(2), with the Office of Judicial Support through Delaware County’s Electronic Filing system as more specifically provided in Pennsylvania Rule of Civil Procedure No. 205.4 and Delaware County Civil Rule 205.4.

*Explanatory Note: The term “legal paper” as defined in Pa.R.C.P. No. 205.4(a)(2) encompasses all pleadings and all other papers filed with the Office of Judicial Support – including exhibits and attachments – even if the legal papers are not adversarial in nature and do not require the non-filing party or parties to respond.*

### (2) As used in this rule the following words shall have the following meanings:

**CMS (Case Management System):** A Court case management system manages the receipt, processing, storage and retrieval of data associated with a case and performs actions on the data.

**Electronic Filing (E-Filing):** The electronic transmission, acceptance and processing of a filing. A submission consists of data, one or more documents, and/or images. The definition of electronic filing does not apply to facsimile or e-mail.

**Electronic Service (E-Service):** The electronic transmission of an original document to all other electronically-registered case participants via the electronic filing system. Upon the completion of any transmission to the electronic filing system, an electronic receipt shall be issued to the sender acknowledging receipt by the electronic filing system.

**EFS :** Delaware County Electronic Filing System.

### (b) (1) Authorized Electronic Format of Legal Papers Electronically Filed

All legal papers shall be filed in a portable document format (“pdf”). A legal paper presented for filing in hard copy or in a format other than portable document format shall be converted to a portable document format and maintained by the Office of Judicial Support pursuant to Pa. R.C.P. 205.4 (b)(1)

- (2) This Rule shall not apply to legal papers related to actions in Support as defined in Pa.R.C.P. 1910.1 through 1910.50 and 1930.1 through 1940.9, Custody, Partial Custody and Visitation of Minor Children under Pa. R.C.P. 1951.1, Special Relief under Pa. R.C.P. 1913.13 or Actions for Divorce or for the Annulments of Marriage under Pa. R.C.P. 1920.1; Protection from Abuse under Pa. R. C. P. 1901.3; Protection of Victims of Sexual Violence or Intimidation under Pa. R.C.P 1951; Petition for Writ of Seizure pursuant to Pa. R. C. P. 1075; Petition to Postpone Sheriff’s Sale Pa.R.C.P. 3132; Petition to Appoint a Constable.; Claim of Exemption pursuant to Pa.R.C.P. 3123.1; Appeal from Denial of Right to Know Request under Pa.R.J. A. 509. This rule shall also not apply to certified zoning records which

include blueprints and/or plot plans under Delaware County Local Rule 27. *Motions or petitions seeking relief in emergency situations, injunctive relief or stay of proceedings shall not be filed through the EFS system but shall be taken to the Office of Judicial Support to be time-stamped, processed, and docketed and then brought by the party seeking the emergency relief or the stay of proceedings to the Court Administrator for reference to the appropriate judge.*

(2) Website. Access to the Website

- (i) Website. All legal papers shall be filed electronically through Delaware County's Electronic Filing system Electronic Filing system "EFS" which shall be accessible through the County of Delaware website <http://www.co.delaware.pa.us/ojs/efile.html> or at such other website as may be designated from time to time.
- (ii) Use of the EFS shall be in accordance with the local rule and instructions contained on the website.
- (iii) Access to the Website. To obtain access to the Delaware County Electronic Filing System, counsel and self-represented litigant must apply for and receive a User Name and Password.
- (iv) Registered users shall be individuals, and not law firms, agencies, corporations nor other groups.
- (v) User access may be suspended to prevent fraud, to maintain security of the system and network, to prevent an unacceptable level of congestion, or to prevent a disruption to the EFS or another user.

(d) (1) Payment of Filing Fees under the EFS system.

- (i) The Office of Judicial Support will accept for payment of all filing fees through PayPal.
- (ii) The Office of Judicial Support will not accept advance deposits for future filings.

(e) Reserved

(f) (1) Filing Status Messages

- (i) Upon receipt of the electronic document, the Office of Judicial Support shall provide the filing party with an acknowledgment, which includes the date and time the document was received by the Delaware County Electronic Filing system.
- (ii) After review of the electronic document, the Office of Judicial Support shall provide the filing party with e-mail notification, or notification on the Delaware County Electronic Filing System, that the document has been accepted for filing ("filed") or refused and not accepted for filing.

## (2) Official Record

- (i) When an electronic document is accepted, the document is the official record.

## (3) Signatures and Verifications

- (i) The electronic filing of documents utilizing the issued User Name and Password as provided by this rule and Pa.R.C.P. No. 205.4, constitutes the party's signature on electronic documents as provided by Pa.R.C.P. No. 1023.1 and, if the filing party is an attorney, constitutes a certification of authorization to file it as provided in Pa.R.C.P. No. 205.1.
- (ii) The electronic document filed by a party must include a signature block, and the name of the filer under whose User Name and Password the document is submitted. The document may be submitted with the filers scanned signature or "/s/" and the filer's name typed in the space where the signature would otherwise appear on the document.
- (iii) If an attorney is the filing party, the Pennsylvania Supreme Court Attorney Identification number must be included under the signature line. The correct format for an attorney signature is as follows:

/s/ Attorney name  
Pa Supreme Court ID#  
Attorney for (Plaintiff/Defendant) XYZ Corporation  
ABC Law Firm  
ADDRESS  
TELEPHONE NUMBER  
FAX NUMBER - (FAX)  
E-MAIL ADDRESS

- (iv) An authorized electronic filer must not allow their user name and password to be used by anyone other than an agent who is authorized by the electronic filer.
- (v) Electronic filers shall notify the Office of Judicial Support's Help Desk immediately if there has been any unauthorized use of their EFS user name and password.
- (vi) The Verification required by Pa.R.C.P. Nos. 206.1 and 1024 and the signature page(s) of any document or legal paper executed by a client or other persons other than the filing party must be scanned and attached to the electronic filing in a portable document format at the time the legal paper is submitted.
- (vii) Documents requiring signatures of more than one party must be scanned and attached to the electronic filing in a portable document format at the time the legal paper is submitted.
- (viii) The original of a sworn or verified document that is electronically filed (e.g. affidavit) or is contained with an electronic filing (e.g. verification) shall be maintained by the electronic filer and made available upon direction of the court or reasonable request of the signatory or opposing party.

*Explanatory Note: This subsection is designed to address issues which may arise regarding signatures on legal documents. A filer's use of the User Name and Password issued through the Delaware County Electronic Filing System is the filer's "electronic signature". However, legal documents often require verifications executed by non-filers. In addition, many legal documents require multiple signatures. Deficiencies in content and execution could be subject to preliminary objections. In order to avoid prejudicial delay, this section requires the filing party to scan such legal documents or signature pages and include them as part of the electronic filing at the time of submission. Original copies should be kept as provided for in Pa.R.C.P. No. 205.4 (b)(4).*

(4) **Electronic Filing Fees and Costs.**

- (i) The Office of Judicial Support shall collect an electronic filing user fee for each legal paper or exhibit filed as established by the Office of Judicial Support with the approval of the President Judge of the Delaware County Court of Common Pleas.
- (ii) In addition to such electronic filing user fee, the Office of Judicial Support is authorized to charge a fee as set forth from time to time for each page of a legal paper or exhibit which is filed in hard copy format and which must be converted by the Office of Judicial Support to a portable document format.
- (iii) Electronic filers shall alert the EFS to any payment errors within forty-five (45) days of the payment date by notifying the Office of Judicial Support's Help Desk.

(5) **Other Procedures Necessary to the Operation of a System of Electronic Filing:** authorized by Pa.R.C.P. No. 205.4 (f), the following administrative procedures are adopted:

- (i) If a document is accepted, it shall be deemed to have been filed as of the date and time it was received by the Delaware County Electronic Filing System; provided, however, that if a document is submitted without the requisite fee, the document shall be deemed to have been accepted for filing as of the date payment was received. The Office of Judicial Support is authorized to refuse for filing a document submitted without the requisite payment. If the electronic document other than original process is accepted for filing, it will be electronically served as authorized by Pa.R.C.P. No. 205.4(g)(1)(ii) and service shall be effectuated as provided in Pa.R.C.P. No. 205.4(g)(2)(ii).
- (ii) **Termination Notice.** In addition to the procedures set forth in Pa.R.C.P. No. 230.2, in cases where a party is a registered user of the Delaware County Electronic Filing System, notice of proposed termination may also be electronic.
- (iii) An electronic filer is not required to file any paper copies unless specifically required by the court.

*Note: In addition to the electronic paper, a Judge may request counsel or a self-represented litigant to provide a courtesy copy of a pleading(s) or other such material including but not limited to a memorandum of law, a pre-trial binder for the Court including relevant pleadings, a pre-trial memo, if any, stipulations and pre-labeled exhibits which may be useful to a Judge in preparation for trial. The Court may also request courtesy motions, petitions and answers to such pleadings from time to time.*

- (iv) An electronic filer is not required to file multiple copies of documents unless requested by the Court, or as specified elsewhere in these local rules. If documents are to be served electronically, the electronic filer is not required to provide envelopes, unless requested by the Court or as specified elsewhere in the local rules, except for those parties who are to receive the document by regular mail or other means of service as required by other rules.
- (v) Electronic filing is permitted at all times when the EFS is available. If the EFS is unavailable at the time a registered user attempts to file a document, the registered user shall make reasonable efforts to file the document as soon as the unavailability ends.
- (vi) If a registered user believes the unavailability of the EFS prevented a timely filing to the party's prejudice, the registered user may submit a motion to the court within ten (10) days of the registered user's unsuccessful attempt to file the document. The motion shall state the date and time of the first unsuccessful attempt to file the document electronically, the date(s) and time(s) of any subsequent attempts to file the document electronically, and why the delay was prejudicial.
- (vii) The filing deadline for any document filed electronically is 11:59:59PM EST/EDT.
- (viii) *Documents with Attachments.* Attachments, including exhibits, that are part of any filing, shall be filed electronically at the same time as the document.
- (ix) An attachment or exhibit that exceeds the technical standards for the EFS or is unable to be electronically filed must be filed as ordered by the court. A Notice of Exhibit Attachment shall be filed in the EFS referencing such an exhibit with specifically and stating the reason why the exhibit was not filed electronically.
- (x) The Court may, on its own motion or for good cause shown, order a filing be made under seal. Filings requested to be made under seal shall be submitted to the Office of Judicial Support over the counter rather than through EFS.
- (xi) Sealed or confidential documents may be submitted for electronic filing in a manner that maintains confidentiality under applicable law.
- (xii) Filings not under seal are public and parties shall comply with the Public Access policy related to case records of the Appellate and Trial Courts of the Unified Judicial System of Pennsylvania under 204 Pa. Code 213.81 and Delaware County Administrative Rule No. 17-5120 .

*Note: As required by Pa.R.C.P. No. 205.4(c)(1), access to the Delaware County Electronic Filing System shall be available at all times, except for required maintenance. However, legal papers can only be reviewed during normal court hours. Therefore, parties are cautioned to file required legal papers in advance of any filing deadline to enable timely correction and re-submission in the event a legal paper is not accepted or is refused for filing. The Office of Judicial Support may refuse for filing any legal paper submitted without the required filing fees as provided by 42 Pa.C.S. § 1725(c)(2)(xix), or, at the Office of Judicial Support's discretion, may authorize the filer to submit the required filing fees within a stated time period after which the Office of Judicial Support may refuse the legal paper for filing if payment is not received.*

(6) If a legal paper is refused for filing, the Office of Judicial Support shall specify the reason. Subject to the provisions of subsection Rule 205.4(e)(1)(i), a legal paper refused for filing shall be deemed as not having been filed.

(7) Neither the Court nor the Office of Judicial Support are required to maintain a hard copy of any legal paper or exhibit, notice, or order filed or maintained electronically under this rule.

(8) If a legal paper is electronically filed, the Delaware County Civil Electronic Filing System will automatically serve all persons who have previously submitted electronic filings in the same case, pursuant to Delaware County Civil Rule \*205.4 and Pa. R.C.P. No. 205.4 (g) but the filing party must serve all others as required by rules of Court. All legal papers filed in a hard-copy format must be served by the filing party as required by rules of court.

*Note: A party has the responsibility of providing legal papers and other correspondence to the Delaware County Sheriff's Office for service of original process pursuant to Pa. R.C.P. 400-425. The Delaware County Electronic Filing Service or CMS program does not encompass the Delaware County Sheriff's Office.*

(9) Documents shall use the universal PDF standard and shall be no more than 25 megabytes (.mb). Files that exceed this limit must be split into multiple files so that each individual file is less than 25 megabytes (.mb).

(10) Color shall be Black and White, resolution of 300 dpi. If a filer has a document that is color or greystroke, the document shall not be filed electronically but must be submitted to the Office of Judicial Support.

(11) All pleadings must conform to Pennsylvania Rule of Civil Procedure 204.1 (1) so that the size of the document be 8 ½ inch by 11 inch paper.

(12) Any font that is not part of the Microsoft default font list must be embedded in the PDF document

(13) PDF properties ( Title, Author, Subject, and Keywords) should be removed from the document. Documents cannot be password protected or encrypted. Document names shall not include any special characters such / : \* ? " < >

(g) (2) *Service by Electronic Transmission*

(i) Service shall be made to registered users through the EFS and to all others as otherwise provided in the Pennsylvania Rules of Civil Procedure. Service by the EFS is complete upon transmission on a Saturday, a Sunday, a holiday recognized by Delaware County, or after 5:00PM EST/EDT, shall be considered complete on the next day that is not a Saturday, Sunday or recognized Delaware County holiday.

(ii) Other than original service, the electronic filer shall not be required to serve a paper copy of the electronic filing on the opposing party if the opposing party is a registered user on the EFS and the electronic filing has been served on them through the EFS.

(h) An AOPC Civil Court Cover Sheet pursuant to Pa.R.C.P. No. 205.5 shall be required and must be scanned separately from the original pleading

*Note: The following documents may be filed through the EFS system. The Office of Judicial Support, once accepted, will forward the document to Court Administration for review and processing:*

- (1) Certificate of Readiness pursuant to Local Rule 241; (2) Debtor's Exemption under Local Rule 3123; (3) Application for Continuance in arbitration cases pursuant to Delaware County Local Rule 1303 (f) or for a hearing related to a petition or motion (Local Rule 206.1 (a)(1) and 208.3 (b)(1)); (4) License Suspension Appeal(Local Rule 29); (5) Tax Assessment Appeal(Local Rule 30); (6) Board of View (Local Rule 622 (k)); and (8) Request for Extension pursuant to Local Rule 1028.*

*Once filed through the EFS system, the document will be processed by the Court Administrator and notice of the outcome and/or a hearing date, if any, will be sent electronically to the filing party. The party requesting a continuance shall provide advance notice to all parties in a case, state if the continuance is opposed or unopposed, and be responsible to notify all parties of the outcome of the request prior to a listed hearing or event.*

*Applications for Continuance in assigned cases may be filed electronically at the Court's discretion subject to the assigned judge's guidelines.*

*Motions or petitions seeking relief in emergency situations or stay of proceedings shall not be filed through the EFS system but shall be taken to the Office of Judicial Support to be time-stamped, processed, and docketed and then brought by the party seeking the emergency relief or the stay of proceedings to the Court Administrator for reference to the appropriate judge.*

*Note: This rule is adopted as required by Pa.R.C.P. No. 239.9.*