

**IN THE SUPREME COURT OF PENNSYLVANIA**

IN RE:	:	NO. 521
	:	
AMENDMENT OF RULES	:	CIVIL PROCEDURAL RULES
205.4 AND 1007 AND ADOPTION	:	
OF RULE 205.5 OF THE	:	DOCKET
PENNSYLVANIA RULES OF CIVIL	:	
PROCEDURE	:	

**ORDER**

**PER CURIAM**

**AND NOW**, this 25<sup>th</sup> day of February, 2010, upon the recommendation of the Civil Procedural Rules Committee; the proposal having been submitted without publication as the amendments are required in the interest of efficient administration, pursuant to Pa.R.J.A. No. 103(a)(3):

**IT IS ORDERED** pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pa.R.C.P. Nos. 205.4 and 1007 are amended and Pa.R.C.P. No. 205.5 is adopted in the attached form.

This **ORDER** shall be processed in accordance with Pa.R.J.A. No. 103(b), and the changes adopted herein shall be effective in ninety days.

Additions to the rules are shown in bold and are underlined.  
Deletions from the rules are shown in bold and brackets.

#### **Rule 205.4. Electronic Filing and Service of Legal Papers**

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**(h) A judicial district which implements an electronic filing system pursuant to this rule is exempt from the requirements of Rule 205.5 governing cover sheets, provided the electronic filing system has the capability of gathering and transmitting to the Administrative Office of Pennsylvania Courts all the information required by Rule 205.5(e).**

#### **Rule 205.5. Cover Sheet**

(a)(1) This rule shall apply to all actions governed by the rules of civil procedure except the following:

- (i) actions pursuant to the Protection from Abuse Act, Rules 1901 et seq.
- (ii) actions for support, Rules 1910.1 et seq.
- (iii) actions for custody, partial custody and visitation of minor children, Rules 1915.1 et seq.
- (iv) actions for divorce or annulment of marriage, Rules 1920.1 et seq.
- (v) actions in domestic relations generally, including paternity actions, Rules 1930.1 et seq.
- (vi) voluntary mediation in custody actions, Rules 1940.1 et seq.

(2) At the commencement of any action, the party initiating the action shall complete the cover sheet set forth in subdivision (e) and file it with the prothonotary.

Note: When a defendant in an action before a magisterial district court appeals the decision to the court of common pleas, the plaintiff in the action before the magisterial district court shall complete the cover sheet when filing the complaint with the prothonotary.

(b) The prothonotary shall not accept a filing commencing an action without a completed cover sheet.

(c) The prothonotary shall assist a party appearing pro se in the completion of the form.

(d) A judicial district which has implemented an electronic filing system pursuant to Rule 205.4 and has promulgated those procedures pursuant to Rule 239.9 shall be exempt from the provisions of this rule.

Note: Pa. R.C.P. No. 205.4 provides for electronic filing and service of legal papers. Rule 205.4(h) permits a judicial district which has implemented an electronic filing system to be exempt from the requirements of this rule provided that the information to be gathered by the cover sheet can be captured and transmitted to the Administrative Office of Pennsylvania Courts by the electronic filing system.

Pa. R.C.P. No. 239.9 provides for the promulgation of a local rule, numbered Local Rule 205.4, governing procedures for electronic filing specific to a judicial district.

(e) The Court Administrator of Pennsylvania, in conjunction with the Civil Procedural Rules Committee, shall design and publish the cover sheet. The latest version of the form shall be published on the website of the Administrative Office of Pennsylvania Courts at [www.pacourts.us](http://www.pacourts.us).

Note: Cover sheets developed by a judicial district may be used in addition to the cover sheet required by this rule. See Rule 239.1, which requires a court that uses local cover sheets to promulgate a local rule, numbered Local Rule 205.2(b), setting forth the form of cover sheet, and Rule 239.8 for the requirements for adopting Local Rule 205.2(b).

**Rule 1007. Commencement of Action**

An action may be commenced by filing with the prothonotary

- (1) a praecipe for a writ of summons, or
- (2) a complaint.

Note: For the form of the writ of summons, see Rule 1351, infra.

**See Rule 205.5 governing the requirement for filing a cover sheet with the pleading commencing the action.**