

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA
CIVIL DIVISION

IN RE: ADOPTION OF LOCAL)
 CRIMINAL RULES OF) No. 2021-1
 PROCEDURE 202, 507, AND)
 576.1)

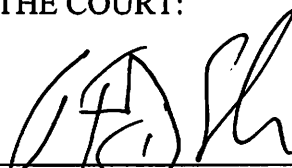
ADMINISTRATIVE ORDER

AND NOW, this 27th day of January, 2021, it is hereby **ORDERED, ADJUDGED,**
and **DECREED** that the attached Washington County Local Rules of Criminal Procedure are
adopted, effective thirty (30) days after publication of this ORDER in the *Pennsylvania Bulletin*.

This ORDER shall be processed in accordance with Pa. R. J. A. 103(d). The District Court
Administrator is directed to do the following:

1. Publish the adopted local rules on the Court's website within thirty (30) days after the
publication of this ORDER in the *Pennsylvania Bulletin*.
2. File one (1) copy of the adopted local rules in the appropriate filing office(s) for public
inspection and copying, and distribute copies of this ORDER to the common pleas and
magisterial district judges of this Court.
3. Cause a copy hereof to be published in the *Washington County Reports*, the official legal
periodical for Washington County, once a week for two successive weeks at the expense
of the County of Washington.

BY THE COURT:


_____, P.J.
John F. DiSalle, President Judge

Washington County – Local Rule of Criminal Procedure 202

**Rule L-202 APPROVAL OF SEARCH WARRANT APPLICATIONS BY ATTORNEY
FOR THE COMMONWEALTH**

The District Attorney of Washington County having filed a certification pursuant to Pennsylvania Rule of Criminal Procedure 202, search warrants in the following circumstances:

- (1) Criminal Homicide in violation of 18 Pa.C.S.A . § 2501;
- (2) Murder in any degree in violation of 18 Pa.C.S.A . § 2502;
- (3) Voluntary Manslaughter in violation of 18 Pa.C.S.A . § 2503;
- (4) Involuntary Manslaughter in violation of 18 Pa.C.S.A . § 2504;
- (5) Causing or aiding suicide in violation of 18 Pa. C.S.A. § 2502;
- (6) Drug Delivery Resulting in Death in violation of 18 Pa.C.S.A . § 2506;
- (7) Criminal homicide of unborn child in violation of 18 Pa.C.S.A. § 2603;
- (8) Murder of an unborn child in violation of 18 Pa.C.S.A. § 2604;
- (9) Voluntary manslaughter of unborn child in violation of 18 Pa.C.S.A. § 2605;
- (10) Homicide by Vehicle in violation of 75 Pa.C.S.A . § 3732;
- (11) Homicide by Vehicle While Driving Under the Influence in violation of 75 Pa.C.S.A . § 3735;
- (12) Rape in violation of 18 Pa.C.S.A . § 3121;
- (13) Involuntary Deviate Sexual Assault in violation of 18 Pa.C.S.A . § 3122.2;
- (14) Sexual assault in violation of 18 Pa.C.S.A. § 3124.1;
- (15) Institutional sexual assault in violation of 18 Pa.C.S.A. § 3124.2;
- (16) Aggravated Indecent Assault in violation of 18 Pa.C.S.A . § 3125;
- (17) Indecent Assault in violation of 18 Pa.C.S.A . § 3126, when the victim is less than 16 years of age;
- (18) Incest in violation of 18 Pa.C.S.A. § 4302;
- (19) Sexual abuse of Children in violation of 18 Pa.C.S.A. § 6312;
- (20) Unlawful contact with a minor in violation of 18 Pa.C.S.A. § 6318;
- (21) Statutory Sexual Assault in violation of 18 Pa.C.S.A . § 3122.1;
- (22) Aggravated Assault with a Deadly Weapon in violation of 18 Pa.C.S.A. 2702(a)(4) and;
- (23) Attempt under 18 Pa.C.S.A . § 901 to commit any of the above-enunciated offenses;

shall not hereafter be issued by any judicial officer unless the search warrant application has the approval of an attorney for the Commonwealth prior to filing. As used in Rule, “approval by an attorney for the Commonwealth” may be through the use of telephone, advanced communication technology, or other electronic methods.

Washington County – Local Rule of Criminal Procedure 507

**Rule L-507 APPROVAL OF POLICE CRIMINAL COMPLAINTS AND ARREST
WARRANT AFFIDAVITS BY ATTORNEY FOR THE COMMONWEALTH**

The District Attorney of Washington County having filed a certification pursuant to Pennsylvania Rule of Criminal Procedure 507(B), criminal complaints and arrest warrant affidavits by police officers, as defined in the Rules of Criminal Procedure, in the following circumstances:

- (1) Criminal Homicide in violation of 18 Pa.C.S.A . § 2501;
- (2) Murder in any degree in violation of 18 Pa.C.S.A . § 2502;
- (3) Voluntary Manslaughter in violation of 18 Pa.C.S.A . § 2503;
- (4) Involuntary Manslaughter in violation of 18 Pa.C.S.A . § 2504;
- (5) Causing or aiding suicide in violation of 18 Pa. C.S.A. § 2502;
- (6) Drug Delivery Resulting in Death in violation of 18 Pa.C.S.A . § 2506;
- (7) Criminal homicide of unborn child in violation of 18 Pa.C.S.A. § 2603;
- (8) Murder of an unborn child in violation of 18 Pa.C.S.A. § 2604;
- (9) Voluntary manslaughter of unborn child in violation of 18 Pa.C.S.A. § 2605;
- (10) Homicide by Vehicle in violation of 75 Pa.C.S.A . § 3732;
- (11) Homicide by Vehicle While Driving Under the Influence in violation of 75 Pa.C.S.A . § 3735;
- (12) Rape in violation of 18 Pa.C.S.A . § 3121;
- (13) Involuntary Deviate Sexual Assault in violation of 18 Pa.C.S.A . § 3122.2;
- (14) Sexual assault in violation of 18 Pa.C.S.A. § 3124.1;
- (15) Institutional sexual assault in violation of 18 Pa.C.S.A. § 3124.2;
- (16) Aggravated Indecent Assault in violation of 18 Pa.C.S.A . § 3125;
- (17) Indecent Assault in violation of 18 Pa.C.S.A . § 3126, when the victim is less than 16 years of age;
- (18) Incest in violation of 18 Pa.C.S.A. § 4302;
- (19) Sexual abuse of Children in violation of 18 Pa.C.S.A. § 6312;
- (20) Unlawful contact with a minor in violation of 18 Pa.C.S.A. § 6318;
- (21) Statutory Sexual Assault in violation of 18 Pa.C.S.A . § 3122.1;
- (22) Aggravated Assault with a Deadly Weapon in violation of 18 Pa.C.S.A. 2702(a)(4) and;
- (23) Attempt under 18 Pa.C.S.A . § 901 to commit any of the above-enunciated offenses;

shall not hereafter be accepted by any judicial officer unless the complaint and affidavit has the approval of an attorney for the Commonwealth prior to filing. As used in this Rule, “approval by an attorney for the Commonwealth” may be through the use of telephone, advanced communication technology, or other electronic methods.

Washington County Local Rule of Criminal Procedure 576.1

RULE L-5761.1. ELECTRONIC FILING AND SERVICE OF LEGAL PAPERS

(A) General Scope and Purpose of this Rule.

The electronic filing of legal papers in the Court of Common Pleas, 27th Judicial District, is hereby authorized in accordance with Pa. R. Crim. P. 576.1 and this rule. The applicable general rules of court and court policies that implement the rules shall continue to apply to all filings regardless of the method of filing.

(B) Use of the electronic filing system is permissive and legal papers permitted and excluded from electronic filing are as defined in Pa. R. Crim.P. 576.1(C).

(C) The Administrative Office Pennsylvania Courts has agreed upon the implementation plan for the use of PACFile in the 27th Judicial District as of February 28, 2020.

(D) The Clerk of Courts may maintain an electronic file only with approval from the Court, except for filings expressly excluded in Pa.R.Crim.P. 576.1(C) defining “legal paper.” For excluded filings, the Clerk of Courts shall maintain a paper file numbered in accordance with the electronic file for the same case.

(E) PACFile.

- (1) The exclusive system for electronic filing 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 at:**

<https://ujportal.pacourts.us/MyServices.aspx>

- (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 by the Clerk of Courts and other parties, whether electronically filed or otherwise, as required by Pa.R.Crim.P. 576.**

(F) Legal Papers in a Paper Format.

Any legal paper submitted for filing to the Clerk of Courts in paper (or “hard-copy”) format shall be accepted by the Clerk of Courts in that format and shall be retained by the Clerk of Courts as may be required by applicable rules of Court and record retention policies. The Clerk of Courts shall convert such hard-copy legal paper to .pdf and add it to the system, except those legal papers excluded from electronic filing pursuant to Pa.R.Crim.P. 576.1 (C). Once converted to .pdf, the .pdf version of the legal paper shall be deemed and treated as the original legal paper and may be used by the parties and the Court for all purposes, including but not limited to, court hearings and trials in the Court of Common Pleas, 27th Judicial District.

(G) Filing Fees.

Applicable filing fees shall be paid through procedures established by the Clerk of Courts and at the same time and in the same amount as required by statute, court rule or order, or published fee schedule.

(H) Record on Appeal.

Electronically filed legal papers, and copies of legal papers filed in a paper format as provided in subsection (F), shall become the record on appeal.

(I) Confidential information.

Counsel and unrepresented parties must adhere to the Public Access Policy of the Unified Judicial System of Pennsylvania and refrain from including confidential information in legal papers filed with the Clerk of Court whether filed electronically or in paper format.

Note: The local rule governing the filing of confidential information is Washington County Local Rule of Judicial Administration 3000.

(J) Miscellaneous provisions.

The Clerk of Courts shall provide sufficient means to allow parties and the public to file and access legal papers as provided by this rule and as authorized by any applicable statutes, rules, or policy.