

THE COURTS

Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CH. 5]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

[204 PA. CODE CH. 207]

Adoption of Rule 510 of the Rules of Judicial Administration and Amendment of Pa. Code § 207.3; No. 501 Judicial Administration Doc.

Order

Per Curiam:

And Now, this 31st day of August, 2018, Rule 510 of the Pennsylvania Rules of Judicial Administration is adopted, and 204 Pa. Code § 207.3 is amended, in the following form.

To the extent that notice of proposed rulemaking would be required by Rule 103 of the Pennsylvania Rules of Judicial Administration or otherwise, the amendments herein are required in the interest of justice and efficient administration.

This Order shall be effective immediately and shall be processed in accordance with Rule 103(b) of the Pennsylvania Rules of Judicial Administration.

Annex A

TITLE 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 5. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

(Editor's Note: The following rule is added and printed in regular type to enhance readability.)

Rule 510. Guardianship Tracking System. EFF 8-31-18

(a) *Definitions.* The words and phrases used in this rule shall have the following meanings:

Clerk—The Clerk of the Orphans' Court.

The System—The Guardianship Tracking System, or GTS, developed and administered by the Administrative Office as the electronic filing system to be used for filing reports and inventories required for guardianships of the person and guardianships of the estate, and for tracking data related to all statewide guardianship cases of adult incapacitated persons.

(b) *Participation and fees.* The System is the exclusive method for electronically filing required reports and inventories for guardianships of the person, and for guardianships of the estate, and for tracking data related to statewide guardianship cases of adult incapacitated persons. Court-appointed guardians may file reports and inventories in either an electronic format or a physical paper format. Guardians who elect to file in an electronic format shall use the System to file reports and inventories with the Clerk of the court where the matter was adjudicated.

(1) In order to participate in the System, a court-appointed guardian shall establish a UJS web portal account at <http://ujsportal.pacourts.us> and register for access by procedures established by the Administrative Office.

(2) After access to the System is obtained, the guardian bears the responsibility for all actions associated with the guardian's user account.

(3) Establishment of an account by a guardian shall constitute consent to participate in electronic filing, including acceptance of electronic notices sent through the System. Use of the System by a guardian shall constitute certification that the submission is authorized.

(4) Any applicable filing fees, as required by statute, court rule or order, shall be paid electronically through the System at the time of submitting a filing. In addition to any applicable filing fees, an online payment convenience fee for use of the System may be imposed.

(c) *Filing.*

(1) When a report or inventory is filed electronically, the filing shall be submitted to the System at the UJS web portal at <http://ujsportal.pacourts.us>, in accordance with this rule and any filing instructions as may otherwise be provided at the web portal site.

(2) Electronic filing may be submitted at any time (with the exception of times of periodic maintenance). The electronic filing must be completed by 11:59:59 p.m. EST/EDT to be considered filed on that day.

(3) The guardian shall be responsible for any delay, disruption, and interruption of the electronic signals, except when caused by the failure of the System's website.

(4) The date and time on which the filing was submitted to the System shall be recorded by the System. The System shall provide an electronic notification to the guardian when the filing has been submitted.

(5) The date and time on which the filing was accepted by the Clerk shall also be recorded by the System. The System shall provide an electronic notification to the guardian when the filing has been accepted by the Clerk.

(6) The submission and acceptance of an electronic filing shall satisfy the reporting requirements of Pa. O.C. Rule 14.8. An electronic filing shall be considered filed with the Clerk upon the date and time of the filer's electronic submission, if the Clerk determines the requirements for filing are met. If the Clerk determines the requirements for filing are not met, the Clerk may take any action as permitted by law, including, but not limited to, returning the submission for correction.

(7) Each Clerk shall determine whether physical paper copies, or electronic PDF/A copies of electronically filed reports and inventories must be maintained in order to comply with applicable record retention schedules. Consult the County Records Manual and Rule 507(a) for further information.

(8) When a report or inventory is submitted in a physical paper format, the Clerk shall ensure the information contained within the report or inventory is manually entered into the System in order to ensure maximum data collection.

(d) *Signature.*

(1) The electronic signature of the guardian, as required on the reports and inventories, shall be in the following form: /s/ Chris L. Smith.

(2) The use of an electronic signature on electronically filed reports and inventories shall constitute the guardian's acknowledgement of, and agreement with, the verification statements contained therein.

(e) *Notice of filing.* Effective June 1, 2019, if required by Pa. O.C. Rule 14.8(b), the guardian shall be responsible for serving a notice of filing within ten days after filing a report. Service shall be in accordance with Pa. O.C. Rule 4.3.

Note: The Guardianship Tracking System (GTS) will provide all court-appointed guardians of adult incapacitated persons the convenience of filing inventories and annual reports online. Use of the System will alleviate the need for traditional paper filings. The System will also assist the Unified Judicial System with tracking and monitoring of statewide practices related to guardianship cases, as was recommended by the Supreme Court's Elder Law Task Force, and the Advisory Council on Elder Justice in the Courts. The applicable rules of court continue to apply to all filings in guardianship cases.

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

CHAPTER 207. TRANSMITTING REMITTANCES

204 PA Code § 207.3. Online Payment Convenience Fee—Adjustment of Fines, Costs, Fees, and Other Remittances.

(a) Pursuant to 42 Pa.C.S. § 3502(c)(3), the Court Administrator of Pennsylvania hereby adjusts the level of fines, costs, fees, and other remittances by assessing a non-refundable \$2.75 convenience fee for online credit/debit card payments of court costs, fines, fees, and restitution associated with pre-existing cases [or those], cases initiated within the Magisterial District Judge, Common Pleas, and Appellate Court Case Management Systems of the Pennsylvania Courts, or filings submitted via the Guardianship Tracking System. Said amount shall be paid through a contracted financial intermediary and shall be added at the time of the payment.

(b) This regulation shall become effective January 1, 2010, and shall apply to all online credit/debit card payments initiated through the AOPC's UJS Portal made on or after this date on pre-existing cases [or those], cases initiated within the Magisterial District Judge, Common Pleas, and Appellate Court Case Management Systems of the Pennsylvania Courts, or filings submitted via the Guardianship Tracking System.

[Pa.B. Doc. No. 18-1441. Filed for public inspection September 14, 2018, 9:00 a.m.]