

**ENVIRONMENTAL HEARING BOARD  
INSTRUCTIONS FOR  
ELECTRONIC FILING AND SERVICE OF LEGAL DOCUMENTS  
THROUGH THE BOARD'S WEBSITE**

This memorandum describes how those who desire to file and serve legal papers through the Board's web site (<http://ehb.courtapps.com>) may do so. Users of the e filing system should also read the EHB's E filing Guidance, available at <http://ehb.courtapps.com/content/guidance.htm>, and the Board's rules on electronic filing found at 25 Pa. Code §§ 1021.32(d) – (f) and 1021.34(d).

Registered counsel will be permitted to file legal papers other than a notice of appeal and complaint through the Board's web site. Registration may be accomplished by faxing a registration letter to the Board on the attorney's professional or organizational letterhead. The toll-free fax number is 866-999-9476. The registration statement must supply information as to the attorney's Pennsylvania identification number, E-mail address and preferred password. The qualifications of all attorneys will be checked promptly with the Administrative Office of Pennsylvania Courts. If the registration is approved, a password will be issued to the attorney who may then file documents electronically. A form of the registration letter is available on the Board's website. Subsequent changes in address or password may be made only by a letter amendment to the attorney's registration statement requesting the issuance of a new password or address change. The security of the system depends in part on the attorney's protecting the password from disclosure to unauthorized persons and secondarily by E-mail to the attorney whenever a filing is made a case in which he or she is counsel.

To a large extent, using the system is self-explanatory. Lawyers who log on with their user name and password should have no problem following the online instructions that guide them through the process of electronically filing a document. These instructions are provided as a supplement to those online instructions, but for most filers a review of this document should not be a necessary step.

To file a document, the attorney must first select a docket number from a drop-down list on the screen. The list includes only active cases in which the attorney is currently counsel of record. The screen that the filer next sees gives a choice of two links. The first is for a response document. The other is for a new document such as a motion. On this screen, the existing docket for the case can be seen. Once the appropriate link is selected, a new screen appears that contains instructions on how to describe the document to be filed and requires the selection of a document type. A drop-down menu will aid in selecting the document type. This screen will permit the filer to select the document to be filed from the filer's hard drive by use of the "Browse" button. Once the document is located, click insert. After this step has been completed, click on the "Upload" button to file the document.

The click on the "Upload" button results in the submission of the document to the Board. Board personnel will then review the document at their earliest convenience

(usually the same day that the filing is submitted). If the Board accepts the document for filing, the system will automatically send a notification message by E-mail to all counsel of record who are registered users of the system. This email will notify counsel of the filing of an electronic document in their case, and will contain a clickable link to the document itself. Additionally, the Board's acceptance of a document will generate an acceptance message to the attorney that filed the document. This acceptance message will list the attorneys who have been served through the web site (i.e. those attorneys in the case who are registered users of the e-filing system) and those whom the filer must serve by traditional hard copy (i.e. those attorneys in the case who are not registered users of the e-filing system). Service on registered users is complete when this acceptance message is sent. The document is deemed filed at the time the filer submitted it, not the time when the Board accepts it. If the Board rejects the document, the document will not be filed and the filer will receive email notification of the rejection.

### **Exhibits**

Users have three ways to submit any exhibits that the document might have. First, users can scan the exhibits into PDF format and upload the PDF document to the system. Scanning into PDF requires Adobe Acrobat software and a scanner. For additional help on scanning, users can call the LT Court Tech LLC Helpdesk at 610-892-7104. Second, users can fax the exhibits. The system will automatically convert the faxed exhibits to PDF and associate them with the appropriate electronically filed document. Finally, users can choose to file and serve exhibits via traditional, non-electronic means.

### **Protective Order**

Documents or material covered by a protective order may not be electronically filed but must be filed with the Board under seal. Where counsel wishes to have certain material covered by a protective order, he or she must file a motion to that effect with the Board. If the motion contains confidential material, the motion should not be filed electronically. Additionally, any responses to such a motion should not be filed electronically.

### **Format of Filing And Docket View**

Filings must be made through any version of WordPerfect for Windows or Microsoft Word for Windows or Adobe Acrobat PDF. The filed documents in WordPerfect or Word format will be converted on the Board's docket to PDF format so that there will be no variation in the document as it is filed and served from the text of the document filed whether the filer of the document uses WordPerfect, Microsoft Word or Adobe Acrobat PDF. Any user of the system and members of the public can view and print the document as filed in PDF format.

## **Registered Counsel**

Use of electronic filing is limited to those Pennsylvania lawyers or other counsel permitted by Board order to represent a party for purposes of the case who have registered for use through a Pennsylvania attorney. As indicated above, registration must be made by a letter addressed to the Board on the attorney's professional or organizational letterhead stationary. A form of the registration letter is available on the Board's website. To register, please fax the registration form to 866-999-9476. The letter must state the attorney's Pennsylvania Attorney Identification number, E-mail address, and preferred password. A statement that the party agrees to be bound by the Board's guidance for the efilng initiative and whether he is willing to accept service electronically is also required.