

RULE 208.3(a)- ALTERNATIVE PROCEDURES.

(A) MOTIONS

- (1) Pa.R.C.P.208.4 shall govern motion procedure in Carbon County.
- (2) All motions shall be in writing, except as permitted by the court or when made in open court during a trial or hearing and shall comply with Pa.R.C.P. 208.2.
- (3) A motion shall comply with the following requirements:
 - (a) A brief statement of applicable authority pursuant to CARB.R.C.P.208(c);
 - (b) If uncontested, a certification pursuant to CARB.R.C.P.208.2(d);
 - (c) In discovery motions, a certification that counsel has conferred or attempted to confer with all interested parties to resolve the matter without court action pursuant to CARB.R.C.P.208.2(e); and
- (4) The failure, in any motion, to state a type of relief or a ground therefore shall constitute a waiver of such relief or ground.
- (5) Any motion may request such alternative relief as may be appropriate.

(B) FILING

- (1) All written motions and any written answers, and any notices, or documents for which filing is required, shall be filed with the Prothonotary.
- (2) Self-addressed, stamped envelopes for each attorney and unrepresented party shall be provided with the filing of the motion to the Prothonotary's Office for service of the Order of Court.
- (3) Filing shall be by:
 - (a) personal delivery to the prothonotary; or
 - (b) mail addressed to the prothonotary. Except as provided by law, filing by mail shall be timely only when actually received by the prothonotary within the time fixed for filing.
- (4) The prothonotary shall accept all written motions, answers, notices, or documents presented for filing. When a document, which is filed pursuant to paragraph (A)(1), is received by the prothonotary, the prothonotary shall time stamp it with the date of receipt and make a docket entry reflecting the date of receipt, and promptly shall place the document in the case file.

- (5) If a pro se party submits a document to a judge without filing it with the prothonotary, and the document requests some form of cognizable legal relief, the judge promptly shall forward the document to the prothonotary for filing and processing in accordance with this rule.

(C) SERVICE

- (1) All written motions and any written answers, and notices or documents for which filing is required, shall be served upon each party and the district court administrator concurrently with filing.
- (2) Service on the parties shall be by:
- (a) personal delivery of a copy to a party's attorney, or the party if unrepresented; or
 - (b) personal delivery of a copy to the party's attorney employee at the attorney's office; or
 - (c) mailing a copy to a party's attorney or leaving a copy for the attorney at the attorney's office; or
 - (d) in those judicial districts that maintain in the courthouse assigned boxes for counsel to receive service, when counsel has agreed to receive service by this method, leaving a copy for the attorney in the attorney's box; or
 - (e) sending a copy to an unrepresented party by certified, registered, or first class mail addressed to the party's residence, business, or confinement; or
 - (f) sending a copy by facsimile transmission or other electronic means if the party's attorney, or the party if unrepresented, has agreed to this type of service or the attorney has provided a facsimile signature on any pleading authorizing this method of service for the document; or
 - (g) delivery to the party's attorney, or the party if unrepresented, by carrier service.
- (3) Service on the district court administrator shall be by:
- (a) mailing a copy to the district court administrator; or
 - (b) leaving a copy for the district court administrator at the district court administrator's office; or
 - (c) delivery to the district court administrator by carrier service.