IN THE JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE

ORDER AMENDING JUSTICE OF THE	§
PEACE COURT CIVIL RULE 79.1	§

ORDER

This 19th day of October 2007, it appears to the Court that it is desirable to amend Justice of the Peace Court Civil Rule 79.1.

NOW, THEREFORE, IT IS ORDERED THAT, the following amendments shall be effective :

(1) Add Justice of the Peace Court Civil Rule 79.1 to read as follows:

Rule 79.1 Electronic Filing

(a) The electronic filing of documents in the Justice of the Peace Court of the State of Delaware shall be referred to as "eFile" or "eFiling."

(b) When the Chief Magistrate of the Justice of the Peace Court determines that it is appropriate for any civil case, or category of cases, to follow the procedures for eFiling, the Chief Magistrate shall designate it as an eFile case or category of cases.

(c) The Chief Magistrate shall establish administrative procedures for the eFiling of documents.

(d) A technology surcharge of 50 cents ($.50) per document shall be assessed in each eFile case for the purpose of a fund to operate the

eFiling system. The Court shall expend those funds solely for purposes related to the operation and maintenance of the eFiling system. The technology fee shall not be imposed on filings by the Department of Justice or by indigent parties or their counsel.

(e) No Delaware lawyer or agent permitted to represent an artificial entity pursuant to Supreme Court Rule 57 shall authorize anyone to eFile on that lawyer's or that Rule 57 agent's behalf, other than an employee of his/her firm or artificial entity as defined under Supreme Court Rule 57 retained by that lawyer or Rule 57 agent to assist in eFiling.

(f) No person shall use, or allow another person to use, the password of another in connection with any eFiling.

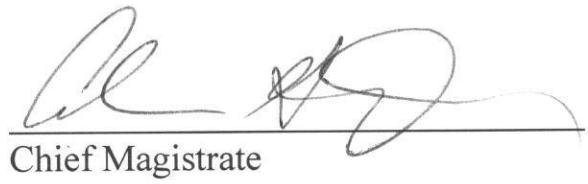
(g) The eFiling of a document by a lawyer or agent permitted to represent an artificial entity pursuant to Supreme Court Rule 57, or by another under the authorization of a lawyer or Rule 57 agent, shall constitute a signature of that lawyer or Rule 57 agent under Justice of the Peace Court Civil Rule 11.

(h) All eFilings must be signed by a member of the Delaware Bar, agent permitted to represent an artificial entity pursuant to Supreme

Court Rule 57, or party not represented by an attorney or Rule 57 agent in accordance with the eFile administrative procedures.

(i) Unless otherwise ordered, the electronic service of a document, in accordance with the eFile administrative procedures, shall be considered service under Justice of the Peace Court Civil Rule 5. Service by electronic means shall be treated in the same manner as service by mail for the purpose of adding 3 days to the prescribed period to respond, as set forth in Rule 6(e).

BY THE COURT:



Chief Magistrate