

IN THE FAMILY COURT OF THE STATE OF DELAWARE

ORDER AMENDING RULE 79.1

OF THE FAMILY COURT RULES OF CIVIL PROCEDURE

This _____ day of _____, 2011, **IT IS ORDERED THAT:**

1. Subsection (c) of Rule 79.1 of the Family Court Rules of Civil Procedure shall be amended by replacing the last word of that subsection “eFiling” with “eDelivery.”
2. A new subsection (f) shall be added:
Each electronically filed declaration and affidavit shall be deemed to have been signed by the declarant or affiant if 1) it bears an image of the signature of the declarant or affiant, and an image of the notary signature and seal where applicable; and 2) an attorney, or party not represented by an attorney, has authorized such filing. The original affidavit or declaration filed or served electronically, shall be maintained by the party filing the affidavit during the pendency of the litigation, and shall be made available, upon reasonable notice, for inspection by other counsel or other party, if unrepresented; the Clerk; or the Court.
3. This amendment shall be effective after 30 days notice to members of the Bar.

BY THE COURT:

Chandlee Johnson Kuhn
Chief Judge

Jay H. Conner
Judge

Kenneth M. Millman
Judge

William N. Nicholas
Judge

William J. Walls, Jr.
Judge

Mark D. Buckworth
Judge

William L. Chapman, Jr.
Judge

Aida Waserstein
Judge

Barbara D. Crowell
Judge

Peter B. Jones
Judge

Mardi F. Pyott
Judge

John E. Henriksen
Judge

Robert B. Coonin
Judge

Arlene Minus Coppadge
Judge

Michael K. Newell
Judge

Alan N. Cooper
Judge

Joelle P. Hitch
Judge