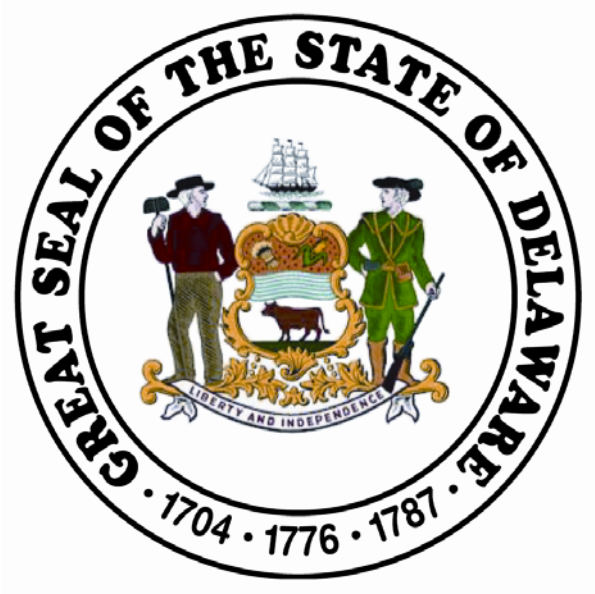
E-FILING HABITUAL OFFENDER PETITIONS

in the

STATE OF DELAWARE COURT OF COMMON PLEAS



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EFILING LINKS

The primary website for State of Delaware e-filers can be found at:

http://www.courts.delaware.gov/efiling

From here, there are numerous links to individual Courts' information, instruction manuals, additional e-filing requirements, and the eFlex logon screens (also accessible directly, as shown below).

DIRECTLY ACCESSING EFLEX

eFlex is accessible from any internet browser.

THE TRAINING VERSION

Can be used at any time to practice using the system:

http://training.eflex.courts.delaware.gov/ecfTrain/

The logon name for training is "DAGTRAIN", and the password for training is "TRAIN". These are specific for performing a Habitual Offender filing.

THE LIVE PRODUCTION VERSION

- Use your assigned logon and password to access the Eflex system:

http://courtsefile.delaware.gov/ecf/

DOCUMENT PREPARATION

Prior to filing a Habitual Offender Petition (or any subsequent filing), the required documents must first be created and stored electronically in PDF format, as follows:

> Document #1: A single PDF file containing the Habitual Offender Petition, and the Certified Driving Record (but excluding the Request for Rule to Show Cause).
>
> Document #2: A single PDF file containing the Request for Rule to Show Cause.

For document #1, place all referenced paperwork in a scanner, and scan as a single, multi-page PDF document. Save the file on your computer using the Respondent's last name, or some other reference which makes it easily identifiable later on in this process when you will be required to attach that document to your submission.

Repeat for document #2.

Document restrictions:

> Each PDF document should be less than 2.00 Mgb (2 mega-bytes) in size.
>
> Each PDF document should contain 15 or fewer pages (break large, multi-page documents into 15-page increments for scanning and create a separate PDF document for each batch).

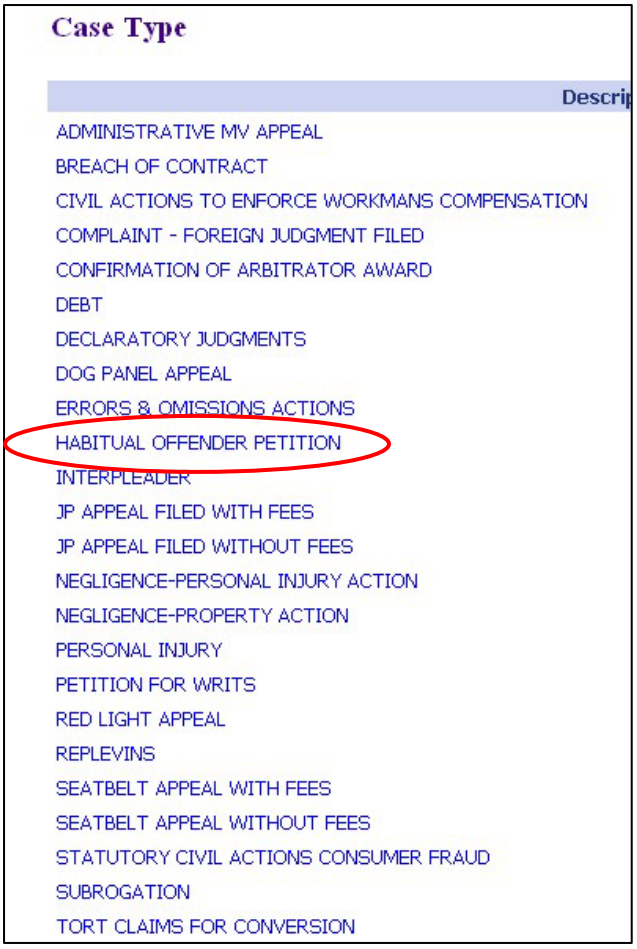
FILING A HABITUAL OFFENDER PETITION CASE

When you first logon, this is the screen you will see.

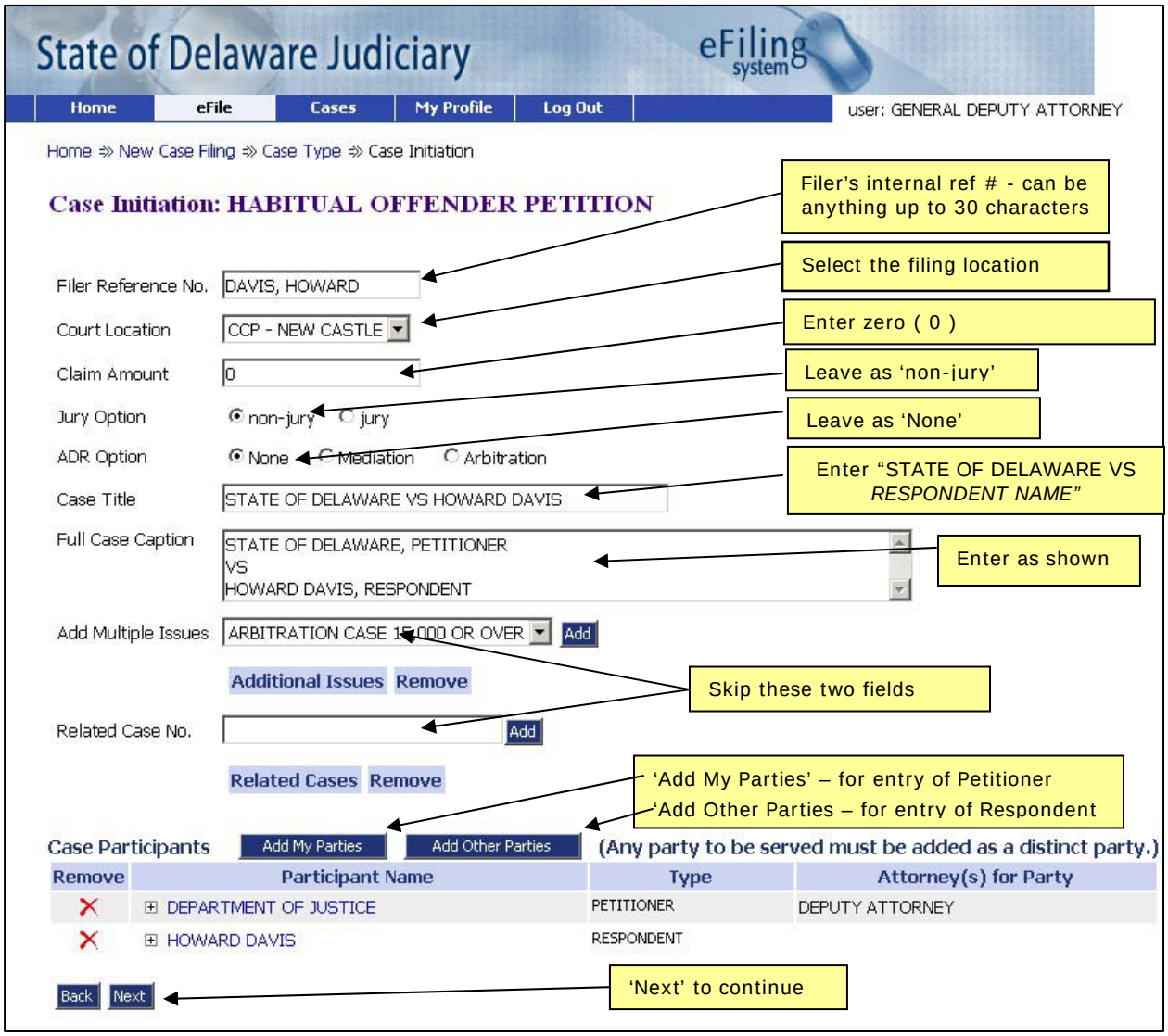
Select 'New Case' to begin a new filing

Select the Court of Common Pleas:

Select the "HABITUAL OFFENDER PETITION" Case Type:



Case Initiation



IMPORTANT NOTE:

All data on this, and all subsequent data entry screens, must be entered in CAPITAL LETTERS only. Do not use any lower-case letters.

Case Title

Enter exactly as shown below, in ALL CAPITAL LETTERS, no punctuation (no commas, periods, quotes, semi- or colons, etc.), and always use VS (without a period after it) to separate Petitioner from Respondent:

STATE OF DELAWARE VS *RESPONDENT NAME*

Full Case Caption

Enter as show below, using 3 lines:

STATE OF DELAWARE, PETITIONER
VS
RESPONDENT NAME, RESPONDENT

Add Multiple Issues

Skip this field.

Related Case Number

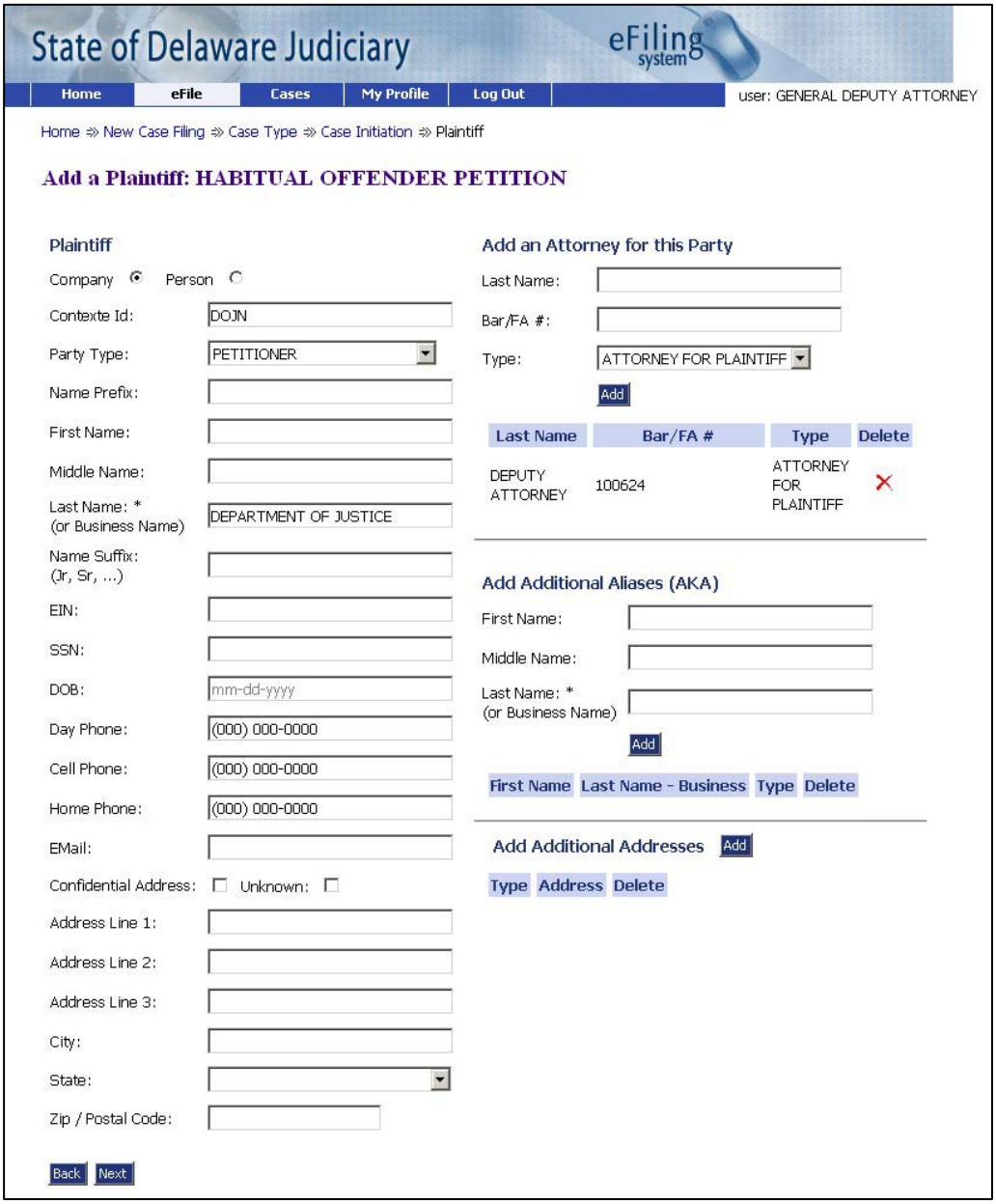
Skip this field

ADDING THE PETITIONER

PETITIONER ENTRY SCREEN

Reminder: **ALL DATA IS TO BE ENTERED IN UPPER CASE ONLY**

See next page for specific information to enter.



ENTERING THE PETITIONER DATA:

Left Column – complete only the items shown below:

Select 'Company' radio button

Contexte ID: Enter 'DOJN' (or DOJK or DOJS)

Party Type: Select 'PETITIONER' from the drop-down list

Last Name (or Business Name): Enter 'DEPARTMENT OF JUSTICE'

Skip all other fields in the left column.

Right Column:

Add or Change the DAG assigned to this case:

Whoever logged-in to create the filing will be shown in the right column.

Add additional Attorneys by entering their Last Name and Bar ID#, select their correct role as Attorney, then click the **Add** button.

Delete any unwanted Attorney from this filing by clicking the red 'X' next to their name.

Add Additional Aliases:

Leave this blank

Add Additional Addresses:

Do not enter any additional addresses for the Petitioner

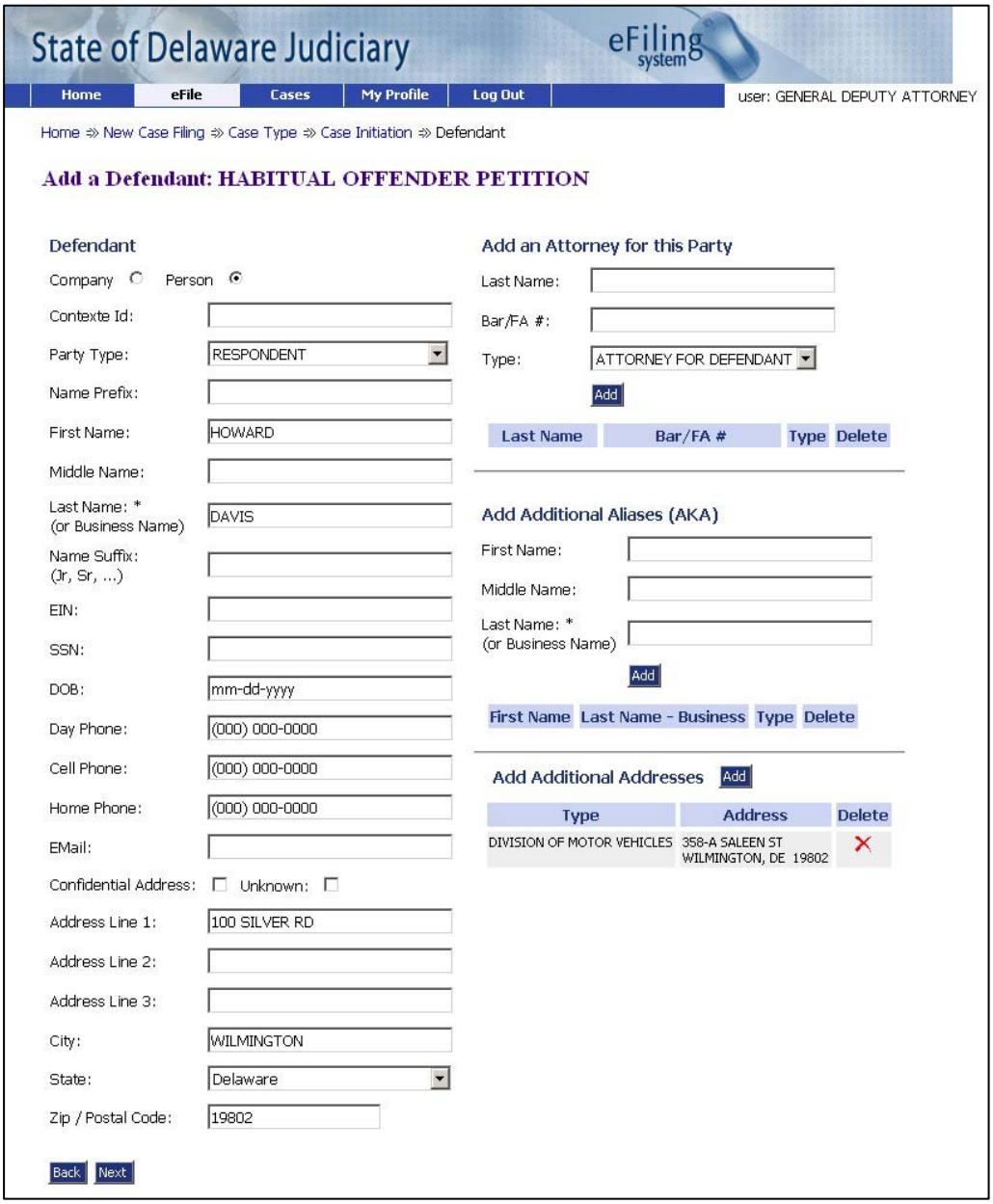
When the page is complete, click 'Next' to return to the Case Initiation Screen (DO NOT USE the **Back** button – this will erase all data entered on this page).

ADDING THE RESPONDENT

RESPONDENT ENTRY SCREEN

From the Case Initiation screen, press the "Add Other Parties" button to access the Respondent input form (see next page for instructions).

Reminder: **ALL DATA IS TO BE ENTERED IN UPPER CASE ONLY**



ENTERING THE RESPONDENT DATA:

Left Column:

Leave the 'Person' radio button set as is.

If the **Contexte ID** (also called 'System ID') is known and the address has not changed from previous cases filed:

- Enter the id, select the Party Type of 'Respondent', and then complete only the Last Name field (Person's last name).
- Go to the Right Column if needed (see next page for instructions), or go to the bottom and click the 'Next' button to save the Respondent information.

If the **Contexte ID** is known, but the address associated with it has changed from previous cases filed,
or the **Contexte ID** is not known:

Leave this field blank and enter the following:

- **Party Type**: Select 'Respondent'
- For a person, enter First Name, Middle Name (if known), and Last Name.
- **EIN, SSN and DOB**: Do not use these fields – leave them blank.
- Phone Numbers and E-Mail address are optional.
- **Confidential Address**: Only use to keep addresses from public view if needed to protect an individual's safety.
- **Unknown**: Check only if there is no known address.
- **Address**: Please use the following US Postal guidelines:
  Do not use any punctuation when entering addresses.
  Use the most finite element of the address on the first line (e.g., an Apartment Number, or Unit Number, etc.), then put the street address on the second line. If there is no apt or unit number, put the street address on the first line.

Go to the Right Column (see next page for instructions).

Right Column:

Add an Attorney for this Party:

<u>NEVER ADD AN ATTORNEY FOR THE RESPONDENT.</u>

Attorneys representing Respondents must add themselves to a case by filing an Entry of Appearance directly with the Court.

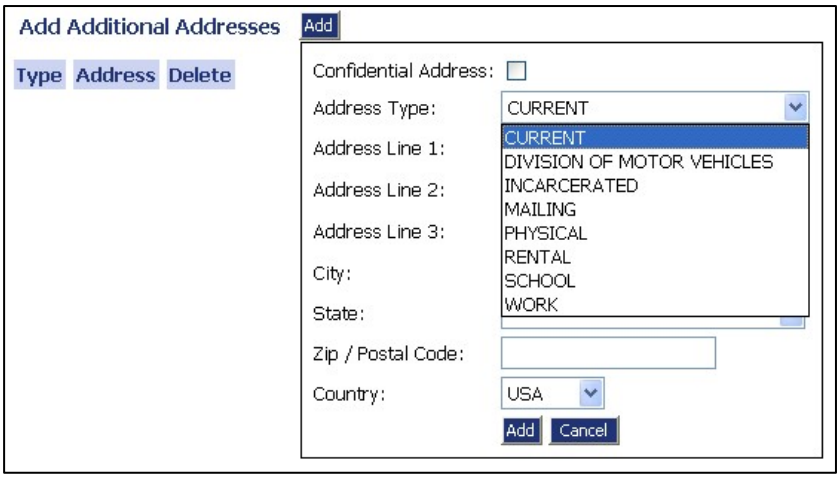
Add Additional Aliases:

If the party in the left column has a known alias, enter it here and then click the **Add** button.

Add Additional Addresses:

The Address entered in the left column is considered to be the main "Mailing Address". Additional addresses, such as a DMV address, may be entered here.

- Click on the 'Add' button next to the label 'Add Additional Addresses').
- In the expanded box, select the type of address being entered.



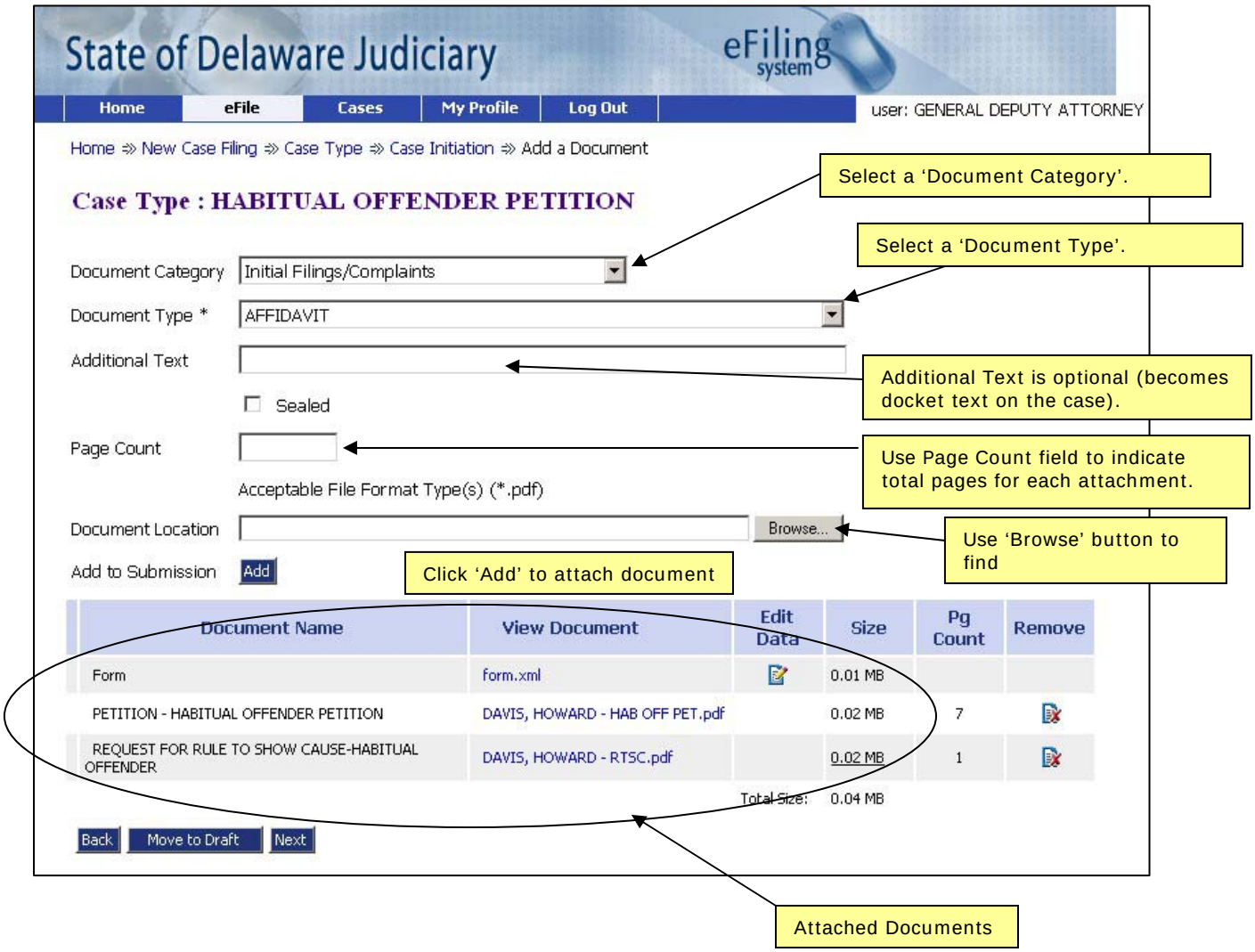
- Enter the address, then click the lower 'Add' button to save this address.

When the page is complete, click 'Next' to return to the Case Initiation Screen (DO NOT USE the **Back** button – this will erase all data entered on this page).

Add A Document

When the Case Initiation Screen is complete, click the 'Next' button for the 'Add a Document' screen.

Attach the required documents to the e-filing. See the following page for specific requirements for a CCP Habitual Offender Petition.



CCP HABITUAL OFFENDER REQUIREMENTS

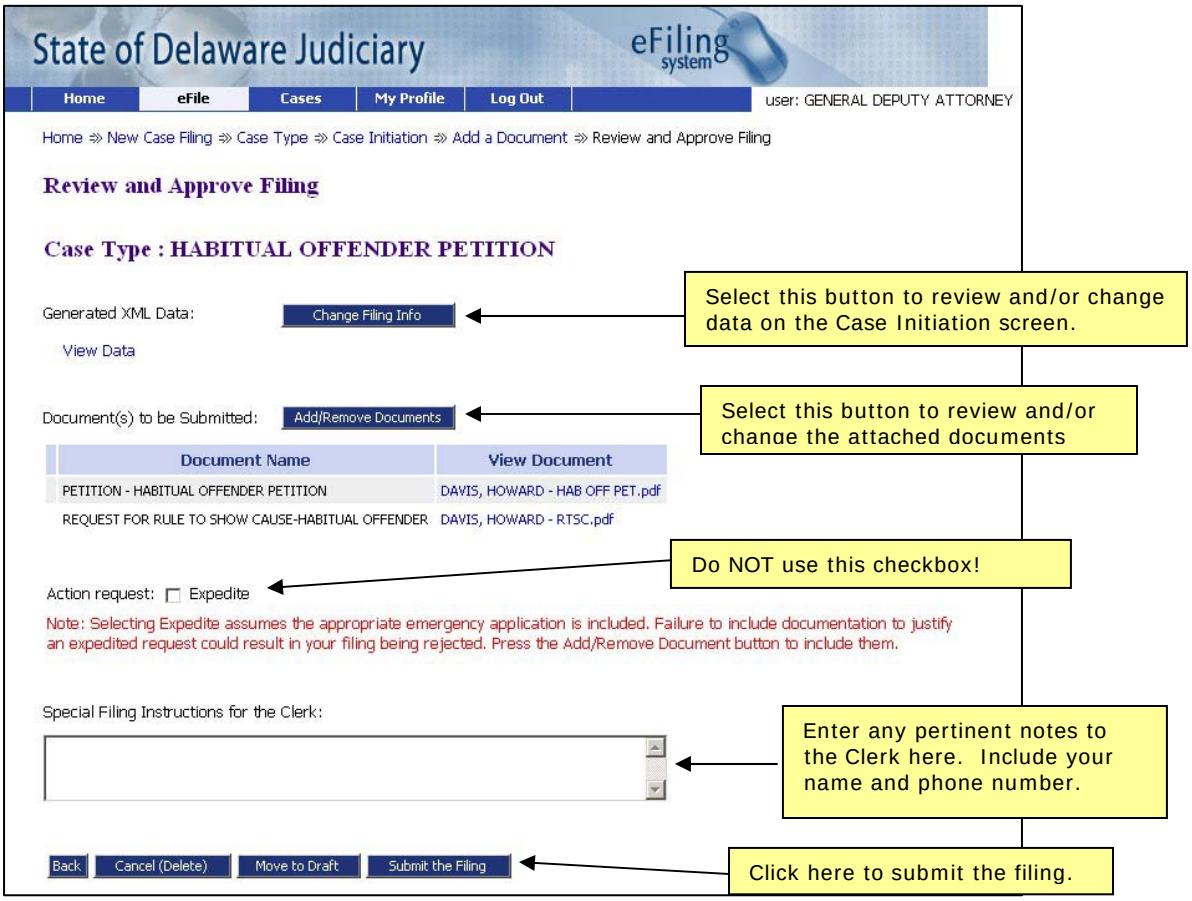
All CCP Habitual Offender Petition Filings should have the following attachments, and in the order shown:

1. Remove the "Request for Rule to Show Cause" page from the Habitual Offender Petition. Scan-in all remaining pages of the Habitual Offender Petition, along with the Certified Driving Record, as a single PDF document. Then use these settings to attach the document to your filing:
   Document Category: "Initial Filings/Complaints"
   Document Type: Defaults to "PETITION – HABITUAL OFFENDER PETITION"
   Additional Text: None required.
   Page count: Enter the number of pages for the scanned document
   Document Location: Browse to the document and select it.
   Add to Submission: Select the 'Add' button.

2. Scan-in the Request for Rule to Show Cause, then attach as follows:
   Document Category: "Initial Filings/Complaints"
   Document Type: Select "REQUEST FOR RULE TO SHOW CAUSE-HABITUAL OFFENDER"
   Additional Text: None required.
   Page count: Enter the number of pages for the scanned document
   Document Location: Browse to the document and select it.
   Add to Submission: Select the 'Add' button.

When complete, select the 'Next' button.

Review And Submit The Filing



A final box appears noting that your submission is complete. Click the 'OK' button to send it to the Court. When you click the OK button, your filing is clocked-in with the current date and time.

FILING STATUS

Available under the “Home” or “eFIle” menu selections. Displays a list of all cases filed, whether approved or not yet processed by the Courts.

Status definitions:

Awaiting Approval – Your filing has been sent to the Court and is waiting for a clerk to review and approve it.

Rejected – Your filing has been rejected by the Court. Please refer to your e-mail notification to determine why (or click on the word ‘Rejected’ to see reason).

Fixing A Rejected Case

Once the reason for rejection is know, from the Filing Status list, click on the “RESUBMIT” button to the right of the filing. This does two things:

1. Puts a complete copy of the filing in the “Draft Filings” queue.
2. Opens the case up on the ‘Add A Document’ screen.
   - Make any change necessary here, or use the ‘Back’ button at the bottom of the page to move back to the Case Initiation screen and make any changes necessary for that data.
   - Select the Next button to save changes and more forward until you reach the Review and Approve screen, where you can submit the corrected filing to the Court.
   - Once submitted, the draft copy will be removed from the Draft Filings queue.

In Draft – A previously rejected filing which you have fixed and resubmitted to the Court. The corrected filing will be at the top of the Filing Status list, and the formerly rejected version will still be listed separately, but with the status changed to ‘In Draft’. Retain the old version with the ‘In Draft’ status until the corrected filing has been accepted by the Court.

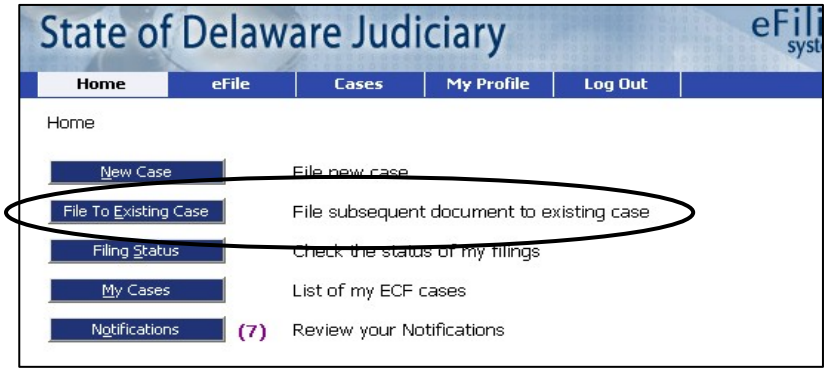
Filed – Your filing has been reviewed and accepted by the Courts. This status will never change. Filed cases will automatically be deleted from this list after 60 days (but the case will remain active in the courts and continue to be processed).

Receipt Pending – A system error has occurred. If this status remains for more than two days, call the JIC Help Desk to find out why.

FILING TO AN EXISTING CASE

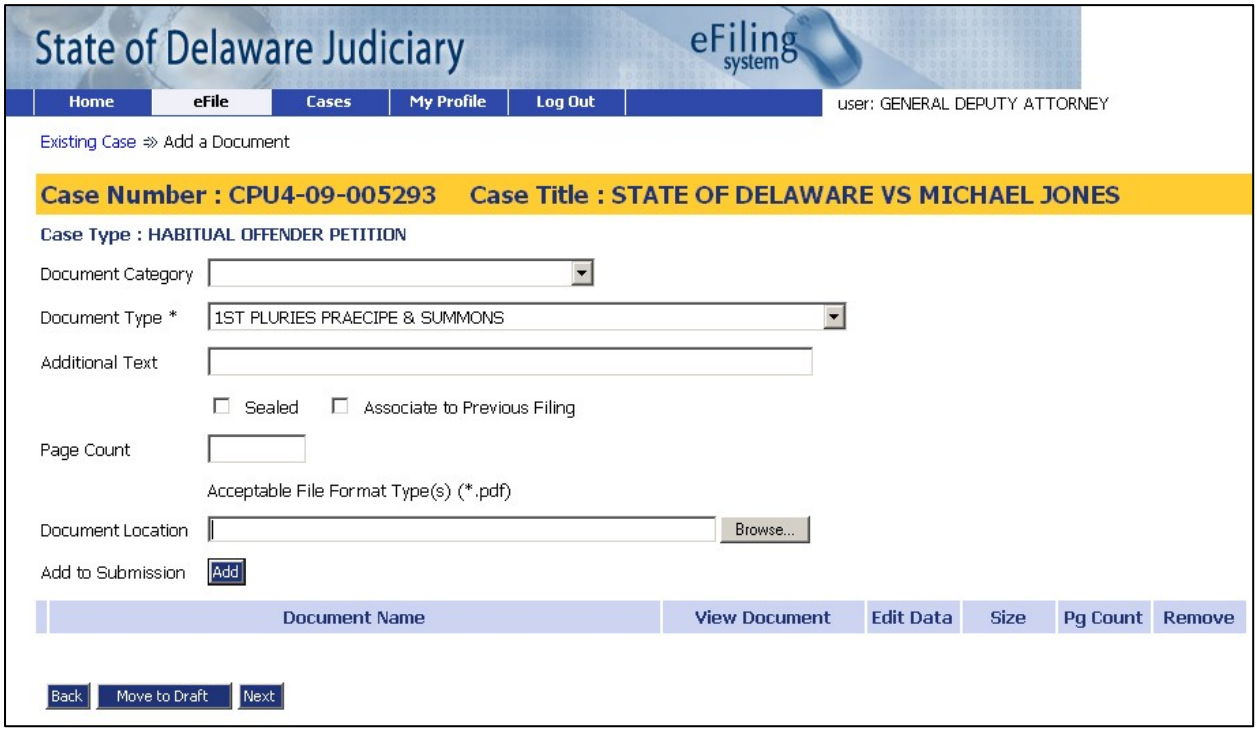
Additional filings to existing cases, even cases which were originally paper-filed, can be accomplished as follows:

From the Home list, select 'File to Existing Case':



Enter the Case Number, and the Last Name of one of the Participants, then click 'Submit' (or, select the case from the list, if shown):

The Case will be retrieved (note the banner showing the case number and the Case Title, below).



Since all subsequent filings on a Case requires some sort of paperwork, it must be attached here just as you did with the initial case filing:

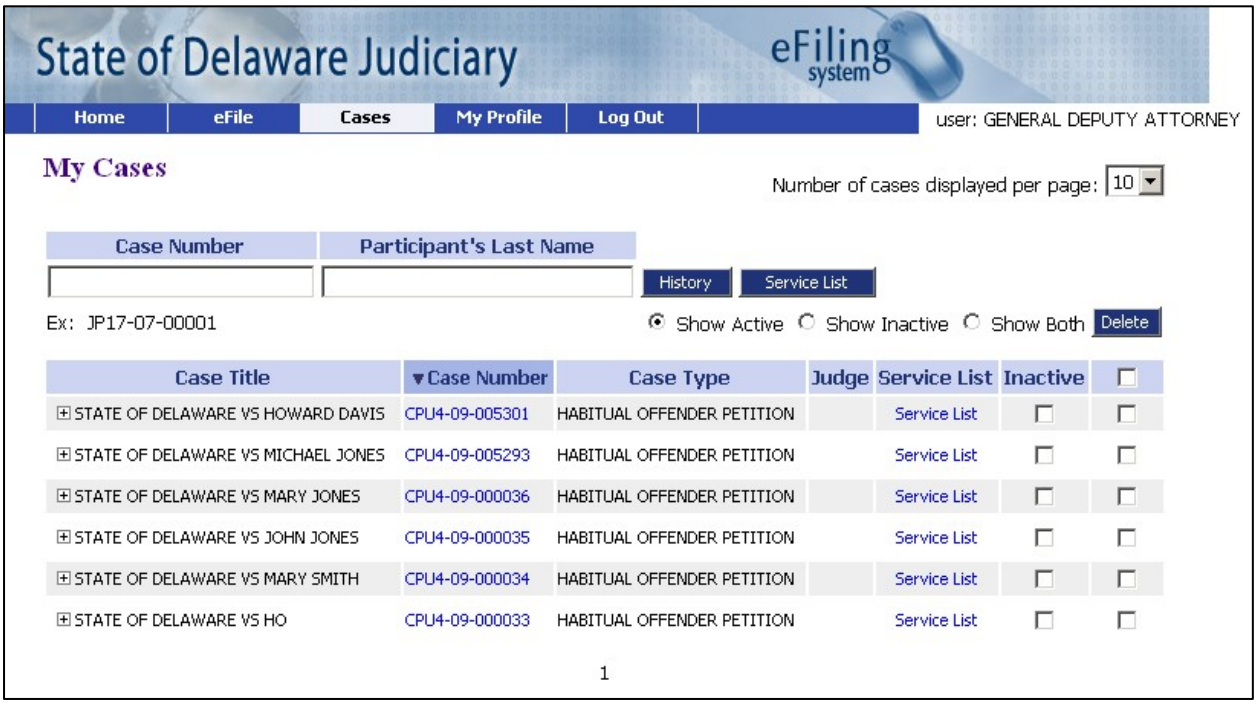
Document Category: Select a Category (or use the 'blank' option).
Document Type: Select appropriate Type.
Additional Text: Enter text if needed to clarify type of document attached.
Page count: Enter the number of pages for the scanned document.
Document Location: Browse to the document and select it.
Add to Submission: Select the 'Add' button.

NOTE: After attaching the first document for a given Document Type, do not use that same Document Type for additional attachments. Instead, use a Document Type of "ATTACHMENT" for all subsequent documents on this same filing.

Click 'Next' to go to the "Review and Submit" page, then submit the filing.

MY CASES (Viewing Case History)

Available under the "Home" or "Cases" menu selections. Displays only those cases that have been e-filed (new or subsequent actions) on which you are a participant.



NOTE: Do not delete cases from the 'My Cases' list until they have been satisfied. Early removal from this list will result in your not receiving any further e-mail notifications of actions on that case.

This screen also allows the retrieval of <u>any</u> Case in any Court (that has been converted to the new Case Management System) in order to view the Docket. Enter the Case ID and one of the Participant's last names in the fields shown at the top, then select the 'History' button.

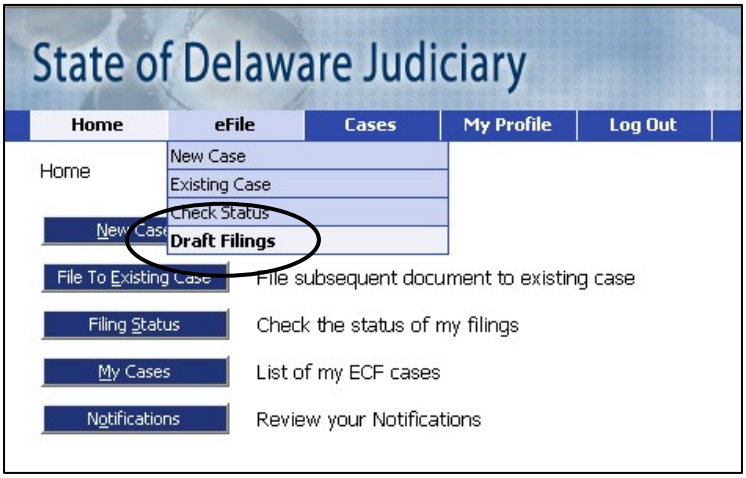
Cases added to this list are also automatically added to the "File to Existing Case" list. Cases removed from this list are also removed from the "File to Existing Case" list.

NOTIFICATIONS

Displays the documents that have been filed by another party (e.g., Answer from the Respondent), or documents created and scanned in by the Clerk on your case (e.g., Return of Service, or Notice of Scheduled Event). The document is available for viewing and/or printing. You will also receive an e-mail notification that the document is available.

DRAFT FILINGS

Filings which have been moved to Draft are saved for 60 days.
To view all filings sent to draft status, under the "eFile" menu selection, choose "Draft Filings":



The screen displays all draft filings. Select the one to continue working with by clicking on the "Filing ID" number.

Filing ID	Filer Ref. No.	Case Title	Case Number	Court Location	▼Create Date	Days Until Deletion
1852	HS-1015-23			CCP - NEW CASTLE	10-17-2008:02:54:45 PM	56
1785	HS-1015-01			CCP - NEW CASTLE	10-13-2008:08:58:09 AM	52
1784				CCP - KENT	10-10-2008:02:16:28 PM	49

The filing will open on the 'Add A Document' screen. You can use the 'Back' button to regress to the 'Case Initiation Screen' if anything needs to be added or changed. Then use the 'Next' button to more forward to the Add A Document screen, add or change documents as needed, then use Next to go to the Review and Approve screen to submit the filing to the Courts.

FILING CHARGES

This is not applicable for Attorney General Filings.

MAKE A PAYMENT

This is not applicable for Attorney General Filings.

MY PROFILE

MY USER PROFILE

You can update any of your information that was submitted when you requested a logon on this screen, but this only affects the e-filing system.

Attorneys must still contact Supreme Court if any of their information has changed.

CHANGE MY PASSWORD

NEVER change the assigned password for the DOJ logons. If a password change is needed, contact the Judicial Information Center Help Line at 302-323-5369.

VIEW LOGIN HISTORY

This records any attempts at logging in to the e-filing system with your logon name where the password was entered incorrectly. The IP address of the specific computer from which the attempt was made is shown.

LOGOUT

If you have any incomplete filings, the system will ask you to confirm that you want to logout, before doing so. Select “YES” to logout, or “NO” to be taken to your Draft filings list.