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EFILING STANDARDS

I GENERAL FILING STANDARDS

A JUDGES HANDLE APPROVAL OF TEMPORARY EXEMPTIONS TO PAPER FILE

Should a party required to eFile under this policy be unable to complete necessary training prior to the established deadline, the party or an authorized legal representative of the party, may apply to the presiding judge of the court location where the matter is to be filed and request a hardship waiver. Such waivers shall be freely given as is reasonable under the circumstances, but after January 15, 2009, shall only be granted to avoid manifest injustice.

B FILERS MAY EXPECT APPROVAL OR REJECTION OF FILINGS APPROXIMATELY 48 BUSINESS CLOCK HOURS AFTER FILING

1. Filed over the weekend review period begins Monday morning
2. Filed on Thursday night review period should be complete by close of business Monday
3. ***Time of eFiling***
Any document filed electronically by 11:59 pm Eastern Time shall be considered eFiled with the Court on that date once the transmission is successfully completed and received as recorded on the State of Delaware Judiciary eFiling System.
4. Rejections will occur for the following reasons:
 - a. No valid Form 50/ Expired Form 50
 - b. Document scanned improperly
 - c. Illegible document
 - d. No five-day letter on landlord tenant case
 - e. Incorrect document attached
 - f. Wrong or missing System ID#
 - g. Court account depleted
 - h. Incorrect information in field
 - i. No contract included on initial debt filing
 - j. Incorrect document type/description selected on filer side
 - k. Name not matching complaint
 - l. System Id # incorrect
 - m. Wrong document type selected in Eflex for attachments
5. Acceptable rejections notices include:
 - a. A properly descriptive explanation

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- b. Clerk name or initials if space allows
- c. Possibly a phone call to resolve before further filings
- d. Please call and ask the staff—we want you to avoid frustration

C SUFFICIENT FUNDS IN THE COURT ACCOUNT-

- 1. The debit [court] account must contain enough money to cover the filings. The fund covers both Court of Common Pleas and Justice of the Peace filings. Look at Account Balance under Account on the menu bar;
- 2. When there is an insufficient balance in the debit account, the filer must deposit within 48 hours or the court will reject the filing.
- 3. To file, the Filer merely hits the Resubmit button when there are sufficient funds in the account.

D ACCOUNTS ARE CHARGED ONLY WHEN FILING IS ACCEPTED

- 1. The eFiling fee structure consists of several components. First, existing case initiation fees, filing fees, and court costs continue to apply. See generally 10 Del. Code §9808
(reproduced at:
<http://courts.delaware.gov/How%20To/fees/?jpfees.htm>); Justice of the Peace Civil Rule 77(h). In addition, a party filing a civil action must pay the security assessment fee appropriate to that type of action. See Justice of the Peace Civil Rule 77. Finally, an eFiling litigant must pay a court technology fee of fifty cents (\$.50) per document for each eFiled document. See Justice of the Peace Civil Rule 79.1(d). A single hard-copy document submitted as multiple .PDF files, as required under this Policy Directive or otherwise, shall be counted as multiple documents for eFiling fee purposes. Payment of fees may be accomplished through a pre-established court debit account or by credit card.
- 2. The per-document technology fees are recoverable. The filer must specifically request recovery of the fees on the Complaint form. All forms containing a line for Court Costs must contain a sum of the total costs including filing fees and document fees, this applies to all forms requiring amounts not just form #1. The line named Other is reserved for those items not covered under any of the other categories such as damages, water bill, electric bill, and attorney fees are some examples. Any place that a \$ sign appears if there is an applicable amount must be filled in to be considered by the Court, if known at the time of filing. The only exception that comes to mind is post judgment interest which would be a rate.
- 3. The Justice of the Peace Court shall waive the court technology fee for any party represented by the Delaware Department of Justice. See Justice of the Peace Civil Rule 79.1(d). In addition, the Court shall waive the court technology fee for any eFiling litigant who is an indigent person represented by an attorney employed by a non-profit organization established for the purpose of providing legal representation to such persons and who have

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been granted leave by the Court to proceed *in forma pauperis* in a civil action in which such fees might otherwise be assessed.

4. Please keep track of your filings in My Cases. Duplicate filings will not be refunded. An alternate site to check is Court Connect :
<http://courtconnect.courts.delaware.gov>
5. The court accepts credit cards in payment of case filings. Please note that the funds on a credit card are encumbered when a case is filed but before approval. If a case is rejected, those funds are returned based on the card-issuer's agreement with the cardholder.

E CORRECTIONS BY STAFF

1. The staff will correct once and instruct the customer in proper filing procedure.
2. The court staff and the efilng help desk staff are not trained in scanner software or hardware issues.
3. The Eflex Help Desk can answer many efilng questions by calling 302-255-2100 or emailing jic.helpdesk@state.de.us .
4. If the filer makes too many mistakes, staff will refer you to retraining—302-323-5369—ext 0, ask for efilng training
5. Trainers may be available for remedial instruction

F DOCUMENTS

1. FORMAT IS .PDF
 - a. Each electronically filed document shall be filed in .PDF format. All documents included in a single filing must be individually attached to that filing. To the extent practicable each document shall be formatted in accordance with the applicable rules governing formatting of paper documents, and in such other and further format as the Chief Magistrate may require from time to time. Any document that exceeds ten (10) pages must be broken into multiple .PDF files, unless prior leave has been granted by the Court. A document may exceed page limitation rules to a maximum of two (2) additional pages when the additional pages are attributed to the electronic conversion or filing process.
2. No more than 10 pages per document
3. 2 megabyte size of document
4. Legible in 8*11 letter size
5. Scanning at too high a resolution will be cause for rejection- use the 'CUSTOM SETTINGS' or the 'OPTIONS' in the scanner settings to make images 200 dpi.

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II SCANNING

A DOCUMENT AT WRONG SIZE-

1. Please use 150-300 DPI black and white for documents;
2. Grayscale for pictures;
3. Filer may use color for pictures only if document complies with size requirements

B ILLEGIBLE DOCUMENTS WILL BE REJECTED

C UPSIDE DOWN AND SIDEWAYS IMAGES WILL BE REJECTED

D REASONS COLOR IMAGES MAY BE REJECTED

1. Images in color tend to be large and can exceed the maximum size requirement
2. Optimum document scanning resolution is 150-300 dpi, black & white
3. In the event Pictures require color
 - a. As a separate attachment with a note to the staff that color was necessary for image clarity
 - b. Keep the size small—less than 2 megabytes

E NOTARIZED DOCUMENTS-

1. An inked seal is preferred so that it will scan
2. Raised/embossed seals will scan at 150-300 dpi with brightness set between 10 and 20

III SIGNATURE

A \S\TYPED SIGNATURE IS ACCEPTABLE WITH BAR ID # OR FA# \S\JOHN SMITH FA#45896

B NO WET SIGNATURE REQUIRED EXCEPT ON NOTARIZED DOCUMENTS- an embossed seal requires higher dpi and reduced brightness

C SIGNATURES

1. Each electronically filed document shall be deemed to have been signed by the attorney, Form 50 agent, or pro se party that authorized such filing, and shall bear a facsimile or typographical signature of such person, e.g., "/s/ John Doe." Each document eFiled by or on behalf of a party shall also include the typed name, address, and telephone number of the attorney, Form 50 agent, or pro se party filing such document. Attorneys shall include their Delaware Bar number, and Form 50 agents shall include their system ID number.
2. Each electronically filed affidavit or declaration shall be deemed to have been signed by the declarant or affiant so long as an attorney, Form 50 agent, or pro se party has authorized such filing. The original of an affidavit

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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 another party, counsel or Form 50 agent for a party, a clerk of the Court, or the Court.

3. Judges and Court staff may also utilize facsimile or typographical signatures on any document issued by the Court.

IV DATA ENTRY STANDARDS

A FOR SHORT CASE TITLE

1. No punctuation
2. All capital letters
3. Use "ET AL" when there are multiple defendants
MERCY CREDIT VS JENNIFER WALLS ET AL

B FOR LONG CASE CAPTION

1. Use applicable punctuation
2. List all parties
3. Use all capital letters
4. Ex:
CAPITAL MANAGEMENT CORPORATION, INC., PLAINTIFF
VS.
MARY SUE FINCH, MORTON FINCH, DEFENDANTS

C NO PUNCTUATION IN NAME OR ADDRESS - DUE TO POSTAL REGULATIONS

1. Name
2. Address: street address + suite/apt#
3. Apartment/suite number must be above the address line or at the end of the address line.
4. Road=RD; Lane=LN; Street=ST Circle = CR Avenue=AV
5. States are two letter code DE; MD; VA, PA, NJ, NY

D EACH PARTY IS ENTERED INDIVIDUALLY

1. Husband and wife are two separate parties: one for Mr. and another for Mrs.; each will receive their own system id#.
2. When suing someone you have previously, sued, please use the Contexte [system] id # for defendants if the address has not changed
3. Please use all capital letters and no punctuation in the name and address

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- E COMPANIES AND THEIR REPRESENTATIVES MUST ENTER THE NAME OF THEIR BUSINESS CONSISTENTLY - JOE'S CAR WASH LLC**
- F SYSTEM ID #**
1. Required for any company as plaintiff and must include "@" in the number
 2. Required for Form 50 agent and must include "FA" in the number
 3. Required for all attorneys [Bar id# is 6 digits with preceding zeroes]
 4. Defendant id, is preferred if previously sued, and the address is the same
- G DATE OF BIRTH AND SOCIAL SECURITY # ARE NOT REQUIRED BUT ARE NOT CAUSE FOR REJECTION**
1. The court prefers that the plaintiff redact social security and dates of birth
 2. Clerks do not redact information
 3. Employers [garnishees] prefer to have last the 4 digits of Social security # on wage attachments
- H INCORRECT INFORMATION IN FIELD**
1. Putting concise case description in long case caption field
 2. Claim amount in Eflex field must match the amount on the Form 1 complaint.
 - a. All forms containing a line for Court Costs must contain a sum of the total costs including filing fees and document fees, this applies to all forms requiring amounts not just form #1.
 - b. The line named Other is reserved for those items not covered under any of the other categories such as damages, water bill, electric bill, and attorney fees are some examples.
 - c. Any place that a \$ sign appears if there is an applicable amount must be filled in to be considered by the Court, if known at the time of filing. The only exception that comes to mind is post judgment interest which would be a rate.

COMPLAINT-□			
1. Concise Statement of Facts: (Who, What, When, Where, How?)□			
□□□□□□□□			
□□□□□□□□			
□□□□□□□□			
□□□□□□□□			
2. Relief Sought:□			
\$□□□□□□□	Amount of money claimed: (Not including interest)□		
\$□□□□□□□	Pre-Judgment Interest at or □	□□□□□□□ % legal rate□	□□□□□□□ % contractual rate□
\$□□□□□□□	Post Judgment Interest at the legal rate□ OR contractual rate of□ □□□□□□□ %□		
\$□□□□□□□	Court Costs:□		
\$□□□□□□□	Other□ □□□□□□□		
□	Possession□		
□	Return of personal property□ or□		
Jury Trial Demanded (Possession only) □ Yes □ No□		Total value (Attach list of property stating description and value of items on 8 1/2" x 11" paper□	
TO: THE COURT OF THE JUSTICES OF THE PEACE□ Please docket the above-captioned case and issue a Summons to the above-named Defendant(s) to appear before you so there may be this case and judgment for the Plaintiff(s), together with interest and costs of this proceeding; or, for an Attachment in Lieu of Summons issue same and direct the Constable to execute the proper process.□			
□□□□□□□	□	□□□□□□□	
Date□	□	Plaintiff or Plaintiff's Attorney□	

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I INCORRECT DOCUMENT TYPE/DESCRIPTION SELECTED ON FILER SIDE

1. File as 'affirmative defense'- should be: 'answer filed'
2. Case type- will be accepted but judge may dismiss
3. Wrong Document type selected
 - a. E-filer is responsible for filing the correct documents and using the correct code in the E-flex system
 - b. Common mistake is filing several "CLICK HERE TO SELECT THE CORRECT DOCUMENT TYPE" documents at one time.
 - c. The customer uses the drop down menu to select the correct document type.
4. Wrong document attached



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V INITIAL FILINGS

A REQUIRED DOCUMENTS FOR INITIAL CASE FILING

1. Form 1 complaint

- a. One type of civil action per Form 1
- b. Special procedures apply in an action to obtain possession of a rental unit, known as an action for summary possession
 - i. **A summary possession action should only be filed if possession alone is sought or if both possession and money (such as back rent) are sought.**
 - ii. If **only money** is sought from the other party in a landlord-tenant case (for example, the return of a security deposit), a **debt action** should be filed and different procedures will apply
 - iii. Before filing an action for summary possession, it is important that you decide whether you want to ask the Court to give you possession of the unit

2. Valid Form 50-required for initial filing

3. Attachments

- a. Five –day letter on Landlord Tenant cases
- b. Contract on Debt filings is preferred on initial filing but required when filing a Form 13 Request for Default Judgment.

B PARTY NAME NOT MATCHING COMPLAINT

1. Typographical errors may be rejected with a note from staff saying: “please double check”
2. Id # incorrect
3. Long Case Caption is different from Form 1
4. Short Case title is different from Form 1
5. Address is invalid-
 - a. Does not conform to US Postal Service regulations
 - b. Town does not match zip code-
 - c. The filing will be accepted and the filer will be required to file and pay for an alias filing correcting the error. It is the filer’s responsibility to provide the correct address for service.

VI SUBSEQUENT FILINGS

A TRANSCRIPT REQUEST MUST SPECIFY REASON-

1. Transfer to Superior Court
2. Appeal to CCP

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3. Triple Seal
 4. Clerk adds docket entry for the appeal or transfer
- B BILL OF PARTICULARS CAN BE REQUESTED OR SUBMITTED AT ANYTIME**
- C “WITHDRAWN” VS. “SATISFIED”**
- | | |
|-----------------------|---|
| Before case processed | If the staff has not accepted the case, the filing will be “Dismissed” after processing and fees will be assessed |
| Before hearing | “Withdrawn/dismissed” |
| After judgment | “Satisfied” |
- D WRIT OF POSSESSION**
1. The Rental address is preferred on the request form.
 2. The document must be filed at the appropriate time—too early will cause a rejection.
- E WRIT OF REPLEVIN**
1. Please include a letter requesting the Writ of Replevin with a list of items and their location.
- F LEVY REQUEST**
1. The .PDF Form 16 may be more than one page and may include the Form 21 and 21a.
- G WAGE ATTACHMENT**
1. Please provide the last 4 digits of defendant’s Social Security # for the employer [garnishee].
 2. The .PDF Form 17 may be more than one page and include the form 17a.
 3. The plaintiff’s address on the Wage Attachment form is the address for the employer [garnishee] to send payment.
- H COURT STAFF ADDS THE FOLLOWING PARTIES TO THE CASE:**
1. Litigant(s)
 2. Witness(s)
 3. Garnishee
 4. Rule 55 parties

VII FORM 50 AGENT’S RESPONSIBILITY

- A AGENTS AGREE TO MAINTAIN THEIR E-FLEX ACCOUNT**
1. In the event they leave/transfer employment

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2. Agents and companies must understand that the agent's FA# belongs to the agent individually, and follows the individual from company to company; much like a social security number is person-dependent.

B THE AGENT HAS THE FOLLOWING "NUMBERS" ASSOCIATED WITH THEM:

1. The Form 50 number or, FA# - always the same regardless of company represented
 - a. Assigned by Chief Magistrate's office
 - b. The company and agent must notify Chief Magistrate's office of any changes.
2. The Eflex Filer ID#- also stays the same and stays with the Agent from company to company
 - a. Assigned by Eflex staff
 - b. The Agent must notify the Eflex staff of any changes in employment, email, phone number and address
3. The Company Id, or "@ #" of the company the Agent represents-used when filing cases for that company
 - a. Assigned by Chief Magistrate's office
 - b. The company and agent must notify Chief Magistrate's office and the Court of any changes in relationship, address etc.
4. Court Account, sometimes called the Debit Account number, is tied to the Company and pays for the filings
 - a. Assigned by Administrative Office of the Courts.
 - b. The company and agent must notify the Administrative Office of the Courts and Eflex staff of changes in relationship.

VIII THE COMPANY'S RESPONSIBILITIES

A FORM 50 AND E-FLEX ACCOUNT PAPERWORK SHOULD BE SUBMITTED TOGETHER

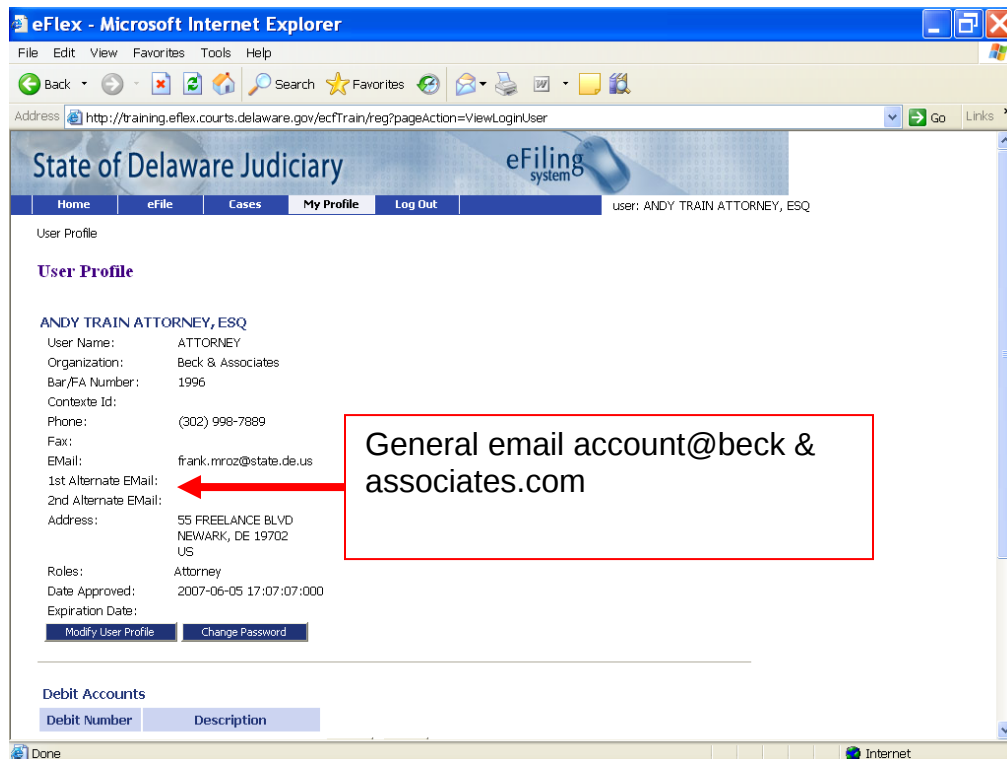
1. Companies are ensured registration of their Form 50
2. E-flex accounts are established under the correct agent's name and FA numbers
3. Ensures proper authorization & access to the Debit/Court Account
4. The Company's Id#/@ # remains the same as well [much like an EIN].

B COMPANIES THAT HAVE MORE THAN ONE E-FILER/AGENT ARE REQUIRED TO HAVE A "GENERAL" COMPANY EMAIL ADDRESS TO WHICH ALL FILERS IN THAT COMPANY HAVE ACCESS.

1. This general email is required on all agent e-flex accounts.
2. When an agent leaves a company:

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3. No one else can access their email
4. Sometimes the company cannot access their E-flex account
5. The company does not get notifications of court cases.
6. It is the company's responsibility to clean out the general company email account.
7. The new agents would be spared calling the e-flex helpline or the court seeking
 - a. Notifications of filings
 - b. Information about court when to appear in courts.



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8. The company may find the cases that the former agent was pursuing by using Court Connect and searching on the Agent's name.

<http://courtconnect.courts.delaware.gov>

This will provide the case number to review in E-flex's **Existing Cases** section. Remember, case number and a party's last name are required.

Case Title	Case Number	Court Location	Case Type
MARY SMITH VS MARY JONES	3P17-09-000049	3P COURT 17 - GEORGETOWN	3P DEBIT ACTION
MARY JONES VS MARY SMITH	3P17-09-000040	3P COURT 17 - GEORGETOWN	3P DEBIT ACTION
SUSAN SMITH VS BARRY JONES	3P17-09-000045	3P COURT 17 - GEORGETOWN	3P DEBIT ACTION
FRANK JONES VS MIKE SMITH	3P17-09-000044	3P COURT 17 - GEORGETOWN	3P DEBIT ACTION
BOB JONES VS MARY JONES	3P17-09-000043	3P COURT 17 - GEORGETOWN	3P LANDLORD TENANT
DEB JONES VS MARY SMITH	3P17-09-000042	3P COURT 17 - GEORGETOWN	3P LANDLORD TENANT
SALLY SMITH VS MIKE SMITH	3P17-09-000041	3P COURT 17 - GEORGETOWN	3P LANDLORD TENANT
MORGAN PROPERTIES VS JOHN SMITH, ET AL	3P16-08-000001	3P COURT 16 - DOVER	3P LANDLORD TENANT
TRANSFORM VS TRANSFORM	3P13-09-011094	3P COURT 13 - WILMINGTON	3P LANDLORD TENANT
HANCOCK VS HANCOCK	3P13-09-011093	3P COURT 13 - WILMINGTON	3P LANDLORD TENANT

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C COMPANIES ARE REQUIRED TO NOTIFY THE COURT THAT THE AGENT NO LONGER REPRESENTS THAT COMPANY

1. **Chief Magistrate's** office
 - a. Form 50 removal
 - b. Form 50 for new representative

and

2. **E-flex admin/help** desk
 - a. E-flex account relationship
and
 - b. The Debit/Court Account authorization
 - c. Email changes
3. The company also must file with the court:
 - a. An **SUBSTITUTION OF AGENT** for the new representative(s)
 - i. A list of cases on company letterhead is acceptable
 - ii. A list of cases for the agent is available on court connect:
<http://courtconnect.courts.delaware.gov>
 - b. Along with a valid form 50 for the new agent for the cases the Company chooses to pursue
 - c. Add the correct authorized users to the customer's Debit/Court account
4. The Company ensures that the person representing them in court is a valid Form 50 Agent.