



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

Register in Chancery
Kent County
38 The Green
Dover, DE 19901
302-735-1930

Register in Chancery
New Castle County
500 N. King Street, St. 11600
Wilmington, DE 19801
302-255-0544

Register in Chancery
Sussex County
34 The Circle
Georgetown, DE 19947
302-856-5775

Procedures for filing a New Civil Action Case in the Court of Chancery

- I. The new case petition (called a complaint) must be created by the petitioner on the computer in font type Times New Roman and font size 14-point font.
 - ✓ The clerk cannot complete the complaint for you or determine what type of case you need.
 - ✓ The petitioner(s) will need to have their signature(s) notarized. (If the petitioner(s) appear(s) in the Register's office with identification & the correct paperwork, their signature(s) can be notarized by a clerk in the Register's office.)
- II. The minimum new case filing fee is \$410.00 and is based on the type of new case and the number of defendants. The fee chart under rule 3(bb) is attached to this packet.
 - ✓ Payment must be received at the time of filing, or the petition will not be accepted by our office. We accept cash, check or money order (made payable to the "Register in Chancery").
 - ✓ In addition, there is a \$2.00 per page docketing fee for all documents filed with the Court.
- III. Pro Se persons cannot file a new -case action on behalf of a Delaware entity. Any party who is a company, corporation, or other non-individual party, must be represented by a licensed Delaware attorney.
- IV. It is the petitioner's responsibility to provide the Court with photocopies of all supporting documentation. If the Register in Chancery's office makes photocopies for you, we will charge \$1.50 per page.
- V. Included with this packet are a Rule 3(A) Supplemental Information form and Verification to Complaint form. These must be completed by the petitioner and be filed with the new-case petition. Also included is a certificate of service form which must be submitted with all subsequent filings with the court.
- VI. The petitioner must protect personal information and account numbers ("Personal Identifiers") as shown in the enclosed Rule 79.1(j). All personal identifying information must be blacked or whited out by the pro se petitioner.
- VII. Additional information, Self-Represented Litigant instructions, and Court Rules and forms may be found online at <http://courts.delaware.gov> then select Court of Chancery.

Please call the respective county in which you intend to file the complaint or new-case petition should you have any questions. They are listed as the following: Sussex County (302)856-5777, Kent County (302)735-1930, and New Castle County (302)255-0544.

THE DELAWARE COURT SYSTEM

COURT OF LAST RESORT

SUPREME COURT

Final Appellate jurisdiction for criminal cases in which the exceeds certain minimal and in civil cases as to final judgments, certain orders of the Court of Chancery, the Superior Court and Family Court and court designated board issuer of certain writs

EQUITY COURT	LAW COURT SUPERIOR COURT
COURT OF CHANCERY Hear/determine all matters and causes in equity (typically corporate, trust, fiduciary matters, land sale, real estate and commercial/contractual matters)	Original statewide jurisdiction over criminal and civil cases (except equity cases). Exclusive jurisdiction over felonies and drug offenses (except Marijuana possession and most felonies/drugs involving minors) involuntary commitments to Delaware state Hospitals intermediate appellate court.

COURTS OF LIMITED JURISDICTION

FAMILY COURT	COURT OF COMMON PLEAS
FAMILY COURT Extensive jurisdiction over all domestic relations matters, including divorce, custody of minor children, visitations child and spousal support, and property division. Jurisdiction over intrafamily misdemeanors, misdemeanor crimes against children, and civil domestic violence protective orders. Jurisdiction over all juvenile offenses except murder, rape and kidnapping.	COURT OF COMMON PLEAS Statewide jurisdiction in civil actions involving less than \$50,000. All criminal misdemeanors (except certain drug-related offenses and traffic offenses) Responsible for all preliminary hearings. Appeals from the Justice of Peace Courts, Alderman's Courts and the Division of Motor Vehicles.

JUSTICE OF THE PEACE COURTS	ALDERMAN'S COURTS
JUSTICE OF THE PEACE COURTS All civil cases involving less than \$15,000. Certain misdemeanors and motor vehicle cases (except felonies). May act as committing magistrate for all crimes. Landlord/tenant disputes.	ALDERMAN'S COURTS Minor misdemeanor, traffic, parking, and minor civil matters occurring within town limits (specific jurisdiction varies with town charter, as approved by the General Assembly).



OFFICE OF THE REGISTER IN CHANCERY
COURT OF CHANCERY
OF THE
STATE OF DELAWARE

Below is a list of some things that court staff can and cannot do for you.

Please read carefully before asking the court staff for help.

Court Staff Can

- Explain and answer questions about how the court works.
- Tell you what the requirements are to have your case considered by the court.
- Give you information from your case file
- Make you copies of court documents from your case file. Cost of \$1.50 per page
- Provide you with samples of court forms that are available.
- Provide you with written instructions and pamphlets on how to fill out the forms.
- Explain generally the different forms.

But, Court Staff Cannot

- Give you legal advice. Only a lawyer can give you legal advice.
- Tell you what is the best way to protect your interests for your case. Only a lawyer can tell you the best way to go about your case.
- Help you select which form you should file.
- Tell you what you should write on a court document.
- Tell you what options to choose on a form, but we can explain generally, what are the options.
- Tell you whether you should bring your case to court.
- Give you an opinion about what will happen if you bring your case to court.
- Recommend a lawyer, but we can provide you with the telephone number of a local lawyer referral service.
- Talk to the judge for you about what will happen in your case.
- Let you talk to the judge outside of the courtroom.
- Explain an order issued by the Chancellor, Vice Chancellor or Master.

**II. COMMENCEMENT OF ACTION; SERVICE OF PROCESS, PLEADINGS, MOTIONS, AND ORDERS;
DEPOSIT AND SECURITY FOR COSTS.**

Rule 3. Commencement of action.

(a) Complaint. --

(1) An action is commenced by filing with the Register in Chancery a complaint or, if required by statute, a petition or statement of claim all hereafter referred to as "complaint." Sufficient copies of the complaint shall be filed so that 1 copy is available for service on each defendant as hereafter provided unless the Court orders otherwise.

(2) Each complaint, when accepted for filing by the Register in Chancery, shall be accompanied by a covering sheet in the form adopted by the Court and containing information which the Court shall determine is necessary and appropriate.

(aa) Verification. -- All complaints, counterclaims, cross-claims and third-party complaints, and any amendments thereto, shall be verified by each of the parties filing such pleading. Every pleading, except that filed by a corporation, which is required to be verified by statute or by these Rules shall be under oath or affirmation by the party filing such pleading that the matter contained therein insofar as it concerns the party's act and deed is true, and so far, as relates to the act and deed of any other person, is believed by the party to be true. Every pleading by a corporation which must be verified shall be verified under oath or affirmation by the chairperson or vice-chairperson of the board of directors, by the president, by a vice-president, by a secretary, by an assistant secretary, by the treasurer, or by an authorized agent and shall be under the seal of a corporation.

(b) Nonrefundable deposit for costs. -- The Register in Chancery shall not file any paper or record or docket proceeding until a nonrefundable deposit for fees and costs has been made with the Register. Such deposit is \$ 100 for all matters except those specifically stated herein. The Register in Chancery shall apply the deposit from time to time in payment of the fees and costs of the Register's office. If the amount of the deposit is expended in payment of such fees and costs as they accrue from time to time, the Register shall demand and receive such additional amount as shall be necessary in the Register's judgment to defray fees and costs for additional services before any such services shall be performed. If the amount of the deposit is not exhausted in payment of such fees and costs, any balance is not refundable and shall be retained by the Register in Chancery at the end of the case. An additional deposit of \$ 400 shall be required in all actions commenced by writ of sequestration, pursuant to 10 Del. C. § 366; \$200 of such additional deposit shall be set aside solely for the purpose of paying any fee that the Court may allow the sequestration. For papers filed from time to time in connection with guardianship matters, the deposit for costs shall be such sum as the Register, from the Register's experience, shall deem sufficient to cover fees and costs of the Register's office for such matter. This rule shall not apply to any action or other proceeding that is exempt by law from making a deposit for costs.

(bb) Court fees or charges. -- The Register in Chancery shall assess the following court fees:

FEES AND CHARGES APPLICABLE TO ALL TYPES OF ACTIONS –

Fees continue next page.

Court of Chancery Rule 79.1(j)

Information Regarding Privacy Issues and Personal Accounts

Financial account numbers. If financial account numbers are relevant, only the last four digits of these numbers should be used.

In addition, exercise caution when filing documents that contain the following:

- (1) Personal identifying number, such as a driver's license number
- (2) Medical Records, treatment and diagnosis
- (3) Employment History
- (4) Individual financial information
- (5) Proprietary or Trade Secret Information

It is the sole responsibility of Attorney(s) and the parties to be sure that all pleadings comply with the rules of this court requiring redaction of personal identifiers. The Register in Chancery will not review each pleading for redaction.

Privacy Issues

Easy access to electronic documents raises many privacy issues. Efile users must be sensitive to confident and personal information not filed under seal. Parties shall refrain from including or shall redact where inclusion is necessary following personal identifiers from all documents filed with the court, including exhibits thereto, unless otherwise ordered by the court.

- (a) **Social Security Numbers.** If an individual's Social security number must be included in a document, only the last four digits of that number should be used.
- (b) **Names of minor children.** If the involvement of a minor child must be mentioned, only the initials of that child should be used.
- (c) **Dates of Birth.** If an individual's date of birth must be included in a document only the year should be used.

Legal Assistance

Representing Yourself

The court process can be very complicated. Representing yourself may take a lot of time, may be difficult, and may be confusing. The Court will expect you to follow the same rules attorneys must follow. If at any point throughout the Court process you are not sure about representing yourself, you should talk to an attorney.

Please remember that **court staff cannot give you legal advice**. If you have a question about what options you have or what you should do, you should talk to an attorney. Just because you talk to an attorney does not necessarily mean that you must hire that attorney to represent you. Ask the attorney if he/she is willing to meet with you for a consultation to answer your questions without having to hire that attorney for full representation. Also ask before you meet with the attorney what fees, if any, are involved for the consultation.

Legal Services

If you would like to find out if you qualify for free legal assistance by one of the legal service providers below, you can call the **Legal Help Link** at 1-888-225-0582. If you do qualify, the Legal Help Link will transfer your call to the appropriate legal service provider. By calling the same number, you can ask for the **Lawyer Referral Service** to schedule a 30-minute meeting with an attorney for a reduced fee.

Civil Matters

Community Legal Aid Society, Inc.

Provides civil legal services to members of our community who have low incomes, who have disabilities, or who are age 60 and over.

New Castle County: 302-575-0660

Kent County: 302-674-8500

Sussex County: 302-856-0038

Delaware Volunteer Legal Services (DVLS)

An organization of volunteer attorneys that provides legal assistance to low-income clients with problems in a variety of civil areas. DVLS also provides "The Legal Help Link," the centralized case intake service stated above that assures that callers are referred to the appropriate legal service organization or to a private attorney for assistance. They can be reached at 1-888-225-0582.

Legal Services Corporation of Delaware, Inc.

Provides legal representation to Delaware's low-income population in civil matters such as bankruptcy petitions and advice, consumer problems, housing problems, and unemployment benefit problems.

New Castle County: 302-575-0408

Kent County: 302-734-8820

Limited Legal Assistance Program

Free 15 minutes of legal assistance. Volunteer attorneys are meeting with eligible self-represented litigants for a one-time fifteen-minute meeting. The attorney will not be meeting with the self-represented litigant outside of the program. Nor will the attorney represent the litigant in court.

There is no income eligibility for this service. Instead, to be eligible, people seeking assistance must not have received previous legal assistance regarding the same issue and their question must be one that can be asked and answered within the fifteen-minute timeframe. People using the service will be directed to legal service providers and reference materials for further assistance.

Currently, the Limited Legal Assistance Program is available at the Self-Help Center in the Leonard L. Williams Justice Center (formerly the New Castle County Courthouse), 2nd floor, 500 N. King Street, Wilmington, DE in the areas of:

Civil Family Law: Mondays from 11:00 a.m. until 1:00 p.m.

This service is available by appointment. To schedule an appointment and to be screened for eligibility, visit the Self-Help Center at 302-255-2599.

This program is coordinated by the Administrative Office of the Courts. Program sponsors include: the Delaware State Courts, the Delaware State Bar Association, Delaware Volunteer

Legal Services, Inc., Community Legal Aid Society, Inc., Legal Services Corporation of Delaware, Inc., Widener University School of Law, and the Delaware Paralegal Association.

Criminal Matters

The Office of Defense Services

The Office of Defense Services provides the following indigent defendants with representation in criminal matters: every adult arrested or charged with a crime that carries the possibility of incarceration who cannot afford an attorney; and any child arrested or charged with a crime.

New Castle County: 302-577-5200

Kent County: 302-739-4476

Sussex County: 302-856-5310

Online Help

Online, you may find a lawyer using services such as the Lawyer Locator in the Martindale Directory which provides access to the Law Directory, or you can use another of their free services, Lawyer Directory from LexisNexis or the Personal Injury Lawyer Directory from Martindale.

Legal Help Link

What is the Legal Help Link?	What types of Cases Do the Free Legal Providers Handle?	Specialty Law Programs
<p>The Legal Help Link coordinates the services of agencies that provide legal assistance to low income individuals in Delaware</p> <p>Callers are screened for both income and problem eligibility. If we cannot help you, we may be able to direct you to the appropriate community program or resource.</p> <p>What agencies are involved? The Legal Help Link is a collaborative effort among the Delaware State Bar Association "DSBA", Delaware Volunteer Legal Services, Inc. "DVLS", Widener University School of Law Community Legal Aid Society, Inc. and Legal Services Corporation of Delaware.</p> <p>The Legal Help Link may be able to refer you to an attorney at no cost, associated with DVLS, CLASI, or LSCD, for the following matters:</p> 	<p>Protection from Abuse (if you are a victim of domestic violence and need assistance)</p> <p>Family Law Matters (Divorce and Custody cases involving documented Violence)</p> <p>Guardianships</p> <p>Landlord/Tenant (Poor housing Conditions) (Public & Private)</p> <p>Wills/Living Wills & Power of Attorney (for Senior Citizens and Terminally Ill)</p> <p>Government Benefits (Termination in SSI, Social Security, Medicaid; Unemployment Benefits; TANF & Food Stamps, Disability Claims)</p> <p>Home Ownership (Foreclosure)</p> <p>Consumer (Debt Collection, Breach of contract, Bankruptcy, Fraud Repair Scams)</p>	<p>Community Legal Aid Society Inc. Runs several specialty law programs. Clients needing assistance may not need to meet the poverty guidelines to qualify. These programs are:</p> <p>ELP- ELDER LAW PROGRAM Provides legal services to clients age 60 years and over. The program focuses on senior citizens who are socially or economically needy.</p> <p>Disability Law Program The program responds to the needs of a special client group. Designed to assist Delawareans who have physical or mental disabilities.</p> <p>Immigration Program This program provides assistance to individuals needing asylum.</p> <p>If you are calling about one of these programs, please let us know when you call the Legal Help Link.</p>

HOW DO I KNOW IF I AM ELEGIBLE FOR FREE LEGAL SERVICES?

To be eligible for free legal services, you must meet federal poverty income standards and have a meritorious civil legal problem. If none of the organizations handles your type of case you are not income eligible, we can refer you to the Lawyer Referral Program. They will select an attorney, convenient to you with whom you can meet to discuss your particular problem. The attorney will consult with you for 30 minutes for a fee of \$35.00

FREE ASSISTANCE IS NOT AVAILABLE FOR ALL TYPES OF CASES

Some examples are:

- DUI's
- Criminal Cases (call the Public Defender at (302-577-3230)
- CLASS ACTIONS
- FEE GENERATING CASES
- CHILD SUPPORT (Call the Division of Child Support Enforcement at (302-577-4863)
- MEDICAL OR LEGAL MALPRACTICE

Those individuals who do not meet CLASI, DVLS, or LSCD'S case or financial eligibility guides will be referred to the lawyer Referral Services operated by the Delaware State Bar Association, where a half-hour consultation can be arranged with a private attorney for a fee of \$35.00.

?Habla Espanol?

TRABAJADORA

HISPANOHABLANTE DE

TRAMITACION INICIAL

DISPONIBLE

LOS LUNES SOLAMENTE

DE LAS 9:00 AM HASTA LA

1:00 PM SOLAMENTE

LLAME AL 478-8680

EXTENSION 203

LEGAL HELP LINK

*Making Civil Legal Services More
Accessible to the Low-Income Community*

Legal Help Link P.O. Box 7306 Wilmington, DE 19803 New Call 478-8850- Kent & Sussex 888-0582



The Legal Help Link is a collaborative effort among the Delaware State

**SCHEDULE OF FEES AND CHARGES
PURSUANT TO COURT OF CHANCERY RULE 3(e)**

This Schedule is published pursuant to Court of Chancery Rule 3(e), which directs the Register in Chancery to “assess the deposits, fees, and charges identified in a schedule published by the Register in Chancery.”

A. Generally Applicable Fees And Charges

The following fees and charges apply in all actions, except where otherwise specified in Sections B through H of this Schedule.

1	Issuing summonses, subpoenas, rules to show cause, and other demands and writs:	
1.a	Original	\$50
1.b	Each copy	\$25
2	Filing an exception to a Magistrate's Final Report	\$200
3	Noticing an appeal (including preparing the record)	\$500
4	Furnishing advertisements to publishers	\$25
5	Certifying a document	\$25
6	Exemplifying a document	\$50
7	Preparing a Register in Chancery's certificate	\$25
8	Preparing a short certificate	\$25
9	Filing a commission	\$20
10	Filing a bond	\$25
11	Filing an amended version of a complaint, counterclaim, cross-claim, petition, cross-petition, or third-party claim	\$250
12	Moving for expedited proceedings	\$500
13	Any in-person or remote court proceeding scheduled at a party's request (parties split cost of proceeding for trial and joint or competing motions)	\$150 per day
14	The following charges may be independent or in addition to other fees and charges:	
14.a	Recording any document filed	\$2 per page
14.b	Photocopies	\$1.50 per page
14.c	Microfilm copies	\$2 per page
14.d	Facsimiles	\$10 for first page; \$2 per page after first
14.e	Storing exhibits (parties split cost of storage)	\$10 per exhibit

D. Trusts

The following fees are assessed in actions concerning trusts filed in the Court of Chancery.

1	Filing a complaint, petition, cross-petition, or application:	
1.a	for administration of a new trust	\$25
1.b	to modify a trust	\$650
2	Filing a trustee bond	\$10
3	Filing an inventory	\$2 per page
4	Filing a trustee release	\$10
5	Registering a certificate of trust	\$25
6	Filing an exception to trust accounting	\$100
7	Filing an order modifying a trust	\$150 per additional order beyond one
8	Issuing subpoenas	\$10 each

E. Guardianships

The following fees are assessed in guardianship actions filed in the Court of Chancery.

1	Filing a complaint, petition, cross-petition, or application (including any amended version):	
1.a	to appoint a guardian for a person without capacity (inclusive of all initial filing fees)	\$125
1.b	for a rule to show cause	\$50
1.c	to remove a guardian	\$50
1.d	to appoint a successor guardian	\$50
1.e	to obtain approval to expend funds	\$35
1.f	to initiate or increase a monthly allotment	\$35
1.g	to obtain approval to reinvest funds	\$35
1.h	to sell real estate	\$50
1.i	to accept a foreign guardianship	\$50
1.j	to transfer guardianship	\$50
2	To file a promissory note reflecting a guardian borrowing from an account	\$25
3	Transfer of funds	\$15
4	Filing a third-party certification of compliance with an order	\$3
5	Filing an exception to a guardianship accounting	\$100
6	Issuing subpoenas	\$10 each

		partial day, including for preparation and follow-up
2	Mediation under Rule 174 with a judicial mediator (charged to the parties):	
2.a	Civil action or trust matter	\$15,000 for first full or partial day; \$5,000 for each additional full or partial day, including for preparation and follow-up
2.b	Guardianship matter or probate, deed, covenant or restriction dispute	\$1,500 for each full or partial day, including for preparation, mediation, and follow-up

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

Plaintiff,)
v.) C.A. No. _____
Defendant,)

VERIFIED COMPLAINT

1. (Name and address of Plaintiff(s)) _____

2. (Name and Address of Defendant(s) _____

3. This action seeks _____

4. (Any Background History information) _____

Attached exhibits to support claim. (List what each exhibit is)

Exhibit A _____

Exhibit B _____

Exhibit C _____

Exhibit D _____

5. Jurisdiction (This court has subject matter over this cause)

(List ____ Del. C. ____)

6. Cause of Action (Check and outline)

(Declaratory Judgment)

(Petition for Partition)

(Summary Judgment)

(Other: _____)

7. Prayer for Relief (What do you want or need) _____

By: (Name/Address/Phone/Signature)

Signature

Date: _____

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

Plaintiff,)
)
)
)
V.)
)
)
)
Defendant,)
)

C. A. No. _____

VERIFICATION TO COMPLAINT

I, _____, duly sworn, hereby depose and say that the statements in the foregoing verified complaint are true and correct to the best of my knowledge, information, and belief.

Signature

SWORN TO AND SUBSCRIBED before me

this _____ day of _____, 2021

Notary Public/Register in Chancery

Supplemental Information Pursuant To Rule 3(b) of the Rules of the Court of Chancery

Case Statement:

This case seeks monetary relief (even if secondarily or in the alternative) under a transaction agreement.

Primary Case Type

Please select a single primary case type.

Advancement or Indemnification - 8
 Del. C. §145, 6 Del. C. §§ 17-108 or 18-108

Appeal under 19 Del. C. § 1309

Appointment of Custodian or Receiver

Appraisal under 8 Del. C. § 262

Arbitration: Enforce or Confirm
 Arbitration Award, or Rapid Arbitration

Assignment for the Benefit of Creditors under 10 Del. C. §§ 7381-87

Books & Records - 8 Del. C. § 220, 6 Del. C. § 17-305, 6 Del. C. § 18-305

Breach of Contract

Breach of Fiduciary Duty in the Alternative Entity Context

Breach of Fiduciary Duty in the Corporate Context
 Contested Action Covered by 8 Del. C. § 225 or 6 Del. C. §§ 7-110 or 18-110
 Declaratory Judgment under 10 Del. C. § 6501
 Deed Restriction Dispute under 10 Del. C. § 348
 Other Alt. Entity Action under Del. C. Title 6, chs. 15, 17, or 18
 Other Statutory Action under Title 16 of the Delaware Code (Health and Safety)
 Other Statutory Action under Title 8 of the Delaware Code (DGCL)
 Property Dispute Other Than a Routine Petition or Section 348

Restrictive Covenant or Trade Secret Dispute
 Routine Petition (Partition; Sale of Real Property to Pay Debts of an Estate; Decree of Distribution regarding Trust or Estate; Caveat Against or Review of a Will; Probate of a Copy of Will; Quiet Title; Reform a Mortgage or Deed; Determine Lien or Mortgage Priority; Instructions Regarding Administration of Estate or Trust; Consent Estate or Trust Petitions)
 Action under Del. C. Title 12 Other Than a Routine Petition
 Wills, Trusts, or Estates Matter Other Than a Routine Petition

Plaintiff's Counsel Authorizing the Filing

First Name

Last Name

Plaintiff's Additional Counsel

First Name

Last Name

Related Cases

Court

Case Name

Case Number

Summary Proceeding Confirmation:

Does the complaint initiate a summary proceeding under Sections 8 Del. C. §§ 145(k), 205, 211(c), 220, or comparable statutes

Expedited Proceeding

Temporary Restraining Order
 Preliminary Injunction
 Status Quo Order
 Other: _____

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

Plaintiff _____

)
)
)
)
)
)
)
)
)

V. _____

C.A. No. _____

Defendant _____

PRAECIPE

To: Register In Chancery

PLEASE ISSUE Summons and a Copy of the Complaint thought The
Sheriff of _____ County; To be served on the following
Defendants in the above listed caption.

Name:

Address:

Signature for Pro Se(*signature*)

Name _____

Address _____

Phone: _____

Dated: _____

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

Plaintiff,

v.

C.A. No.: _____

Defendant,

CERTIFICATE OF SERVICE

I, _____, hereby certify that on this date _____,
I served a copy of the forgoing copy of the documents _____
are filed with the Court and served _____ Certified mail or _____ Hand Delivered to the following
Person(s)

TO: _____

Date _____

Pro Se (signature)
