

**IN THE FAMILY COURT OF THE STATE OF DELAWARE**

**STANDING ORDER # 3  
CIVIL FILING BY EMAIL  
DURING AND AFTER THE  
COVID-19 STATE OF  
EMERGENCY**

WHEREAS, the Centers for Disease Control and Prevention has determined that a novel coronavirus (“COVID-19”) presents a serious public health threat, and this threat is affecting Delaware;

WHEREAS, under his authority set forth in 20 *Del. C.* ch. 31, Governor John C. Carney declared a State of Emergency for the State of Delaware due to the public health threat caused by COVID-19, and extended the State of Emergency on April 10, 2020, May 8, 2020, and June 6, 2020;

WHEREAS, under 10 *Del. C.* § 2004, the Chief Justice, in consultation with other members of the Supreme Court, declared a judicial emergency that went into effect on March 16, 2020 at 8:00 a.m. and which has been continued through July 8, 2020 through subsequent orders of the Supreme Court;

WHEREAS, in the interest of protecting litigants, practitioners, court staff, and the public, the Family Court of Delaware has implemented, and will continue to implement, certain precautionary measures;

WHEREAS, in Standing Order No. #2, in an effort to limit person-to-person contact while ensuring access to justice, Family Court permitted the filing of civil emergencies by email;

WHEREAS, given the ongoing State of Emergency and the continued need to limit person-to-person contact, it is necessary to expand the ability of litigants to file civil pleadings and papers via email;

**NOW, THEREFORE**, it is **HEREBY ORDERED**, this 29<sup>th</sup> day of June 2020, that the Family Court will implement effective July 1, 2020, the following precautionary measures related to civil filings, which will remain in place until further order of the Court:

1. In accordance with Rule 79.2 of the Family Court Rules of Civil Procedure, litigants may file pleadings and papers via email in the following case types using the assigned email:

Custody and Visitation Cases: [FC\\_CustodyVisitation@delaware.gov](mailto:FC_CustodyVisitation@delaware.gov)

Divorce and Ancillary Cases: [FC\\_DivorceAncillary@delaware.gov](mailto:FC_DivorceAncillary@delaware.gov)

Protection from Abuse Cases: [FC\\_PFA@delaware.gov](mailto:FC_PFA@delaware.gov)

Guardianship Cases: [FC\\_Guardianship@delaware.gov](mailto:FC_Guardianship@delaware.gov)

Child Support Cases: [FC\\_ChildSupport@delaware.gov](mailto:FC_ChildSupport@delaware.gov)

Termination of Parental Rights, Adoption, and Dependency/Neglect Cases: [FC\\_CDN\\_TPR\\_Adoption@delaware.gov](mailto:FC_CDN_TPR_Adoption@delaware.gov)

Adult and Juvenile Expungement Cases: [FC\\_Expungement@delaware.gov](mailto:FC_Expungement@delaware.gov)

Substantiation Cases: [FC\\_Substantiations@delaware.gov](mailto:FC_Substantiations@delaware.gov)

Minor Name Change Cases: [FC\\_MNC@delaware.gov](mailto:FC_MNC@delaware.gov)

Effective July 1, 2020, the [FC\\_COVID19@delaware.gov](mailto:FC_COVID19@delaware.gov) email should no longer be used. Instead, the above case type specific emails should be used for regular and emergency filings.

2. Pleadings and papers filed via the above emails will be deemed received when they arrive in the email box.

3. Family Court will serve petitions filed via email in the same way it serves petitions filed in person or by mail. The parties are responsible for serving all other pleadings and papers in accordance with the Family Court Rules of Civil Procedure, particularly Civil Rule 5.

4. While civil litigants are encouraged to file by email, pleadings and papers may still be mailed to the Family Court at any of the below addresses.

Family Court will also accept pleadings and papers filed in person. Self-represented litigants are reminded that forms and information are available 24 hours a day on the Family Court website at <https://courts.delaware.gov/family/>

Family Court – New Castle County Leonard L. Williams Justice Center 500 N. King Street Wilmington, DE 19801	Family Court – Kent County 400 Court Street Dover, DE 19901	Family Court – Sussex County 22 The Circle Georgetown, DE 19947
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5. Except as noted below, as related to pleadings and papers filed in Family Court, Unsworn Declarations may be used in lieu of verifications, sworn declarations, affidavits, and notarized signatures. An Unsworn Declaration **may not** be used with:

- (a) Parental Consents to any of the following: Termination of Parental Rights, Permanent Guardianship, or Guardianship,
- (b) Consent Parentage Decrees, or
- (c) Consents filed in an Adoption Proceeding.

Family Court Form 677 (available at <https://courts.delaware.gov/forms/>) may be used with applicable pleadings and papers that are submitted without being notarized.

6. Pleadings and papers filed by email, mail, or in person must include a signature. The signature may be handwritten or electronic. If an electronic signature is used, it must be in the format of “/s/ Full Legal Name.”

7. If you have questions about an upcoming civil or criminal hearing in Family Court, please call the Family Court Call Center at 302-255-0300.

  
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Chief Judge Michael K. Newell