E-FILING HABITUAL

OFFENDER PETITIONS

in the

STATE OF DELAWARE

COURT OF COMMON PLEAS



Updated March 31, 2017

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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.

# DIRECTLY ACCESSING FSD

FSD is accessible from any internet browser.

**THE PRODUCTION VERSION**

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

http://fileandservedelaware.com

Please refer to the FSD documentation titled “File & Serve *Delaware* New Cast Filings – User Guide” http://www.fileandservexpress.com/delaware/ for details about the system. 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).

**IMPORTANT NOTE:**

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

# FILING A HABITUAL OFFENDER PETITION CASE

## Case Info:

**Case Class** = Civil

**Case type** = Habitual Offender Petition

### Additional Case Information:

**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*

**Claim Amount**

REQUIRED FIELD – enter a zero

**Full Case Caption**

Enter as show below, using 3 lines:

STATE OF DELAWARE, PETITIONER

VS

*RESPONDENT NAME*, RESPONDENT

## Case Parties

**ENTERING THE PETITIONER DATA:**

Entity Type = Organization

Patry Type = PETITIONER

Organization Name = DEPARTMENT OF JUDGICE

Address Information= *must get address*

Select ‘Add/View Attorney’

Representation Type = ‘From My Firm’

Attorney Type = ‘Attorney General’

Attorney = select from list

Click ‘Add Representation’

Click ‘Next

Please Note: the Contexte ID number field will be added with Phase II of this project. At that point the “DOJ” ID must be added in the new field. Until then, follow this instructions as stated above.

**ENTERING THE RESPONDENT DATA:**

Entity Type = Individual

Patry Type = RESPONDENT

First Name, Middle Name Last Name = enter for specific person

Date of Birth = not required

Address Information= enter address data for person

Select ‘Save Party’

Select ‘Authorizing Attorney’

If all data is correct:

Click ‘Next

Please Note: ‘Save Transaction’ will save this data for later update and submission. It will be found under “Transaction Summary & Details”

## Case Documents

Document Category = ‘Initial filings/Complaints’

Document Type = ‘PETITION- HABITUAL OFFENDER’

Document Title = your title

Choose File = must be pdf

Select “Attach Document”

Document Category = ‘Initial filings/Complaints’

Document Type = ‘RULE TO SHOW CAUSE’

Document Title = your title

Choose File = must be pdf

Select “Supporting Document”

Select “Attach Document”

Select ‘Next’

## Revew and Payment

Review all data

Ensure “I am filing these documents as an “Exempt or Defferend State Agency”.?’ Is checkmarked. This is from your profile.

To continue with the submission, select ‘Next’

## Submit

‘Add Billing Reference.’ to identify this submission on the billing sheet.

Select ‘File Now’ or ‘File with a Future date and time’ (be sure to enter date and time).

Select Submit