

ANNUAL MEETING 2016

SECTION THIRTY FIVE

CHALLENGES OF ELECTRONIC FILING IN FAMILY COURT

Friday
10:45 A.M. – 12:00 P.M.

MODERATOR

Vincent A. DiMonte, Esq.
Attorney at Law

SPEAKERS

Neville J. Bedford, Esq.
Attorney at Law

Cheryl Witt
Rhode Island Family Court

John Marouchoc
Rhode Island Family Court

**PROVISIONAL ARTICLE X.
RULES GOVERNING ELECTRONIC FILING**

Rule 1. General

- a. Title: These rules shall be known as the Supreme Court Rules Governing Electronic Filing.
- b. Purpose, Scope and Applicability: These rules establish procedures governing the electronic filing of all documents to and from all of the courts within the Rhode Island Judiciary (Judiciary). Upon implementation of electronic filing in each of the courts, electronic filing of all documents shall be mandatory for all parties except for incarcerated individuals or where a waiver is granted in accordance with Rule 3(c) herein. Self-represented litigants may electronically file documents in accordance with Rule 3(b) herein but are not required to do so. These rules shall be construed liberally to promote the administration of justice by all of the courts within the Judiciary.
- c. Definitions:
 1. Case Initiating Document(s). The first document(s) filed in a case.
 2. Case Management System (CMS). An electronic document repository database maintained and managed by the Judiciary and administered by the respective courts to track information used to manage the courts' caseload, such as case numbers, party names and identifiers, attorneys for parties, titles of all documents filed in a case and all scheduled events in a case.
 3. Conventional Service. Service accomplished by traditional, non-electronic means such as by mail or in person in accordance with the respective procedural rules of the courts within the Judiciary.
 4. Electronic Case Information. Any document, information, data, or other item created, collected, received, or maintained by a court in connection with a particular case that is readable through the use of an electronic device. This definition does not encompass data maintained by or for a judicial officer or court pertaining to a particular case or party, such as personal notes and communications, memoranda, drafts, or other working papers; or information gathered, maintained, or stored by a government agency or other entity to which the court has access but which is not entered into the docket of the case.
 5. Electronic Document. The electronic form of pleadings, notices, motions, orders, exhibits, briefs, judgments, writs of execution, and other papers filed with a court.
 6. Electronic Filing. The electronic transmission of a document in electronic form to or from a court/clerk through the Judiciary's electronic filing system. An electronic filing does not encompass the submission or transmission of documents

to or from the court through other electronic means such as e-mail, facsimile, or computer discs.

7. Electronic Filing System (EFS). An approved Judiciary-wide system for the filing and service of pleadings, motions and other documents or information via electronic means such as the Internet, a court-authorized remote service provider or through other remote means to and from the Judiciary's CMS.
 8. Electronic Service. The electronic transmission of a document or information to a party or a party's attorney under these rules. Electronic service does not include service of process or a summons to gain jurisdiction over persons or property.
 9. Non-public Document. A document which is required to be filed with a court and made available to opposing parties in the case but contains a significant amount of personal identifying information or contains information that is designated as non-public state or federal law, court rule, court order or case law resulting in the document being designated as non-public in its entirety.
 10. Personal Identifying Information. Information of a non-public nature which can be used to identify an individual but can be redacted within the document.
 11. Registered User. An individual or entity with an assigned username and password authorized by the Judiciary to access and utilize the EFS.
 12. Rhode Island Judiciary Rules of Practice Governing Public Access to Electronic Case Information. Rules governing the terms and conditions of access to Electronic Documents maintained in the Judiciary's CMS. This document shall be available on the Judiciary's website at www.courts.ri.gov.
 13. Rhode Island Judiciary User Guide for Electronic Filing. A document published by the Judiciary and updated from time to time which provides instruction and guidance as to the proper use of the EFS. This document shall be available on the Judiciary's website at www.courts.ri.gov.
 14. Sealed Document. A document that is required by court order, rule or statute to be submitted under the strictest levels of privacy with access allowed only to the court and/or upon approval of the court.
 15. Usage Agreement. An agreement that establishes the obligations and responsibilities of the Registered User and provides guidelines for use of the EFS.
- d. Technical Requirements. It is the responsibility of the Registered User to maintain an electronic mailbox sufficient to receive electronic transmissions of notices, orders and other documents. Additional technical guidelines and requirements for usage of the EFS shall be maintained by the Judiciary and published and/or amended from time to time.

- e. Forms. Any forms that have been developed to aid in the implementation of the EFS shall be located on the Judiciary's website at www.courts.ri.gov under Forms.
- f. Civil Case Cover Sheet. The Plaintiff/Petitioner shall file a Civil Case Cover Sheet for each named party with any Case Initiating Document(s). The document shall capture identifying information regarding the parties in a case to ensure proper identification within the Judiciary's CMS. Once the information is entered into the CMS by the court, the document shall be sealed by the court and it shall not be available to the parties or the public due to the identifying information contained therein. The most current civil case cover sheet is located on the Rhode Island Judiciary's website at www.courts.ri.gov under the heading of Forms.

Rule 2. Official Court Record

- a. Official Court Record: Upon the implementation of the EFS in each court, all documents shall be filed electronically and shall be the official court record. Filing parties are obligated to verify the accuracy, authenticity and legibility of electronically filed documents.
- b. Scanning of Court Records: Hard copy active case files may be scanned into the CMS in the discretion of the Chief Justice, Presiding Justice, Chief Judge or Chief Magistrate of the respective courts. The scanning of active case files to the CMS shall be undertaken in a manner which results in a sequential and complete electronic case file that corresponds to the case docket. Upon scanning in accordance with this rule, the electronic version of the case file shall constitute the official court record if and when the EFS has been implemented in the court.
- c. Documents Scanned by the Court: It is the responsibility of the filing party to review each document scanned by the court into the CMS for any discrepancies as a result of the scanning process. Failure to give notice of a discrepancy to the court within thirty (30) days from the filing date will be deemed acceptance of the scanned document. Original documents filed with the assistance of the clerk's office shall be returned to the filing attorney or self-represented litigant. Documents that are submitted in the courtroom and then scanned into the CMS shall be retained in accordance with the Judiciary's Record Retention Schedule.
- d. Court Control Over Court Records: Each court within the Judiciary shall retain control of its own official court record.
- e. Paper on demand system: Paper copies of documents filed electronically will be available on demand for a fee in the respective clerks' offices.

Rule 3. Registration for Use of the Electronic Filing System

- a. Usage Agreement. Execution of a Usage Agreement constitutes registration as a user of the EFS and shall constitute consent to receive Electronic Service of all documents through the EFS. A username and password may be used only by the individual or

attorney to whom the username and password were issued, by an attorney's law firm or office, or by another person authorized by an attorney to use the username and password.

- b. *Self-represented Litigants.* Any individual who represents himself or herself in a proceeding before any court may elect to execute a Usage Agreement and utilize the EFS but shall not be required to do so. When a self-represented litigant elects to utilize the EFS and executes a Usage Agreement, only upon motion and for good cause shown may the court before which the self-represented litigant appears allow the self-represented litigant to terminate the Usage Agreement.
- c. *Attorney Waiver.* Upon petition and for good cause shown, the Supreme Court may grant an attorney a waiver of the mandatory registration and Electronic Filing requirements contained in these rules. Such waiver shall identify the scope of the exception. The most current Petition for Waiver of the Mandatory Electronic Filing Requirements is located on the Rhode Island Judiciary's website at www.courts.ri.gov under the heading of Forms.
 1. Individuals who are incarcerated are not required to submit filings through the EFS.
- d. *Misuse of the Electronic Filing System.* Misuse occurs when any user attempts to harm, disrupt, alter or interfere with the EFS and/or any documents or information maintained on the system or attempts to use or access information on the system without proper authorization. Misuse of the EFS may result in suspension or loss of a user's registration or any other penalty that may be imposed by the Judiciary. Misuse of the EFS by attorneys may constitute a violation of Article V of the Supreme Court Rules of Professional Conduct as further addressed therein. Attorneys are responsible for any misuse of the EFS by third parties whom the attorney has authorized or directed to use the EFS.

Rule 4. Requirements for Use of Electronic Filing System

- a. *Document Type and Format:* Documents filed in the EFS shall be in a searchable format, as specified by the Rhode Island Judiciary User Guide for Electronic Filing. Documents must also conform to the technical requirements identified in the Rhode Island Judiciary User Guide for Electronic Filing.
- b. *Non-conforming Documents.* Materials that are required to be filed with the court and that cannot be converted into electronic form, such as videotapes, x-rays, documents and other similar items which are illegible when scanned, may be filed manually. The filing party shall file a Notice of Manual Filing which shall be docketed in the CMS to denote that a manual filing has been made and that the material is being held in the clerk's office. The filing party shall serve the materials conventionally if required.

- c. Documents Shall be Self-contained: All Electronic Documents shall be self-contained and must not contain hyperlinks to external papers or websites.

Rule 5. Time

- a. Availability of Electronic Filing System: The EFS will accept Electronic Documents twenty-four (24) hours a day, seven (7) days a week, except when the system is unavailable due to scheduled or other maintenance.
- b. Time of Filing: A document will be deemed to have been filed on the date and time when it is submitted to the EFS, regardless of whether the court is open for business at the time of submission. The filing shall be stamped with the submission date and time. Documents will be considered to have been timely filed when submitted at any time up to 11:59 p.m. on a filing deadline day. The time and date registered by the Judiciary's computer shall be determinative.
- c. Clerk Review; Acceptance/Rejection Procedure: Following submission, the court shall timely review the electronically filed document and shall notify the filing party as to whether the filing is accepted or rejected. Upon acceptance, the submitted document shall be entered into the docket of the case and the docket shall reflect the date and time of filing as set forth in Rule 5(b). If a document is filed which does not conform to the rules of the court in which it is filed, a rejection notice shall be sent to the filing party and the document shall not be docketed. The rejection notice shall identify the basis for the rejection in accordance with the rules of the court. A rejected filing shall be promptly corrected and resubmitted and shall be deemed to have been submitted and filed on the initial filing date for purposes of any statutory or rule-based deadline.
- d. Technical Errors; Relief:
 - 1. Substantive rights of the parties shall not be affected when the EFS is not operating through no fault of the filing attorney or party.
 - 2. Upon a showing of good cause, the court may grant appropriate relief when an Electronic Filing or Electronic Service was not completed due to technical problems.
 - 3. A motion for relief under this rule may constitute a motion for relief from judgment or order in accordance with applicable procedural rules.

Rule 6. Service of Electronic Documents

- a. Applicability: Electronic Service of documents is limited to those documents permitted by court rule to be served by mail or facsimile transmission. Subpoenas, summonses and complaints, petitions or other documents that must be hand delivered or served in person with a summons shall not be served electronically.

- b. Consent to Electronic Service: Upon the initiation of a case and/or upon submission of an entry of appearance in a matter, Registered Users are deemed to consent to receive Electronic Service of all documents through the EFS.
- c. Service Upon Registered Users: A party may accomplish service on another Registered User by utilizing the Electronic Service function of the EFS. The transmission of an e-mail through the EFS that contains the link to the document being served shall constitute service of the filed document(s).
- d. Service on Nonregistered Users: The party filing a document must serve nonregistered users by Conventional Service and must submit proof of such service to the court.
- e. Certificate of Service: All documents filed using the EFS shall include a certificate of service stating that the document has been filed electronically and that it is available for viewing or downloading from the EFS. The certificate of service must identify the manner in which the service on each party was accomplished. The certificate of service may be in the following form:

CERTIFICATE OF SERVICE

I hereby certify that, on the _____ day of _____, _____:

I filed and served this document through the electronic filing system on the following parties: _____

The document electronically filed and served is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.

I served this document through the electronic filing system on the following parties: _____

The document electronically served is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.

I mailed or hand-delivered this document to the attorney for the opposing party and/or the opposing party if self-represented, whose name is _____ at the following address _____

/s/ NAME _____

Rule 7. Electronic Signatures and Document Authenticity

- a. Judge, Magistrate, Clerk, or Court Reporter Signatures: Any order or other court-issued document filed electronically and entered by a judge, magistrate or court clerk per the order of a judge or magistrate shall reflect the judge, magistrate or clerk's signature as: /s/ NAME. A certified copy of an order or other court-issued document bearing the electronic signature of a judge, magistrate or duly authorized clerk shall have the same force and effect as if the document contained the handwritten signature

of the judge, magistrate or clerk. A court reporter's signature may be reflected as: /s/ NAME on any document or transcript submitted by a court reporter.

- b. Attorney Signature: The username and password required to submit documents to the EFS shall serve as that user's signature. The electronically filed document shall bear a facsimile or typographical signature along with the typed name, address, e-mail address, telephone number and attorney registration number of the signing attorney. Typographical signatures of an attorney shall be treated as a personal signature and shall be in the form: /s/ NAME.
- c. Self-represented Litigants and Other Registered Users: The username and password required to submit documents to the EFS shall serve as that user's signature. The electronically filed document shall bear a facsimile or typographical signature along with the typed name, address, e-mail address, and telephone number of the signing self-represented litigant. Typographical signatures of a self-represented litigant shall be treated as a personal signature and shall be in the form: /s/ NAME.
- d. Penalty of Perjury, Acknowledgment, Notarization, and Attestation: A document electronically filed or served using the EFS that is required by law to include a signature signed under penalty of perjury or to be notarized or attested may be submitted electronically provided that the declarant, notary public or witness has signed the hard copy paper form of the document. The hard copy paper form of the document bearing the original signatures must be scanned and electronically submitted for filing in a format that accurately reproduces the original signatures and contents of the document. By electronically filing the document, the attorney or self-represented litigant attests that the documents and signature are authentic.
- e. Documents Requiring Signature of Opposing Parties: When a document to be filed electronically requires the signatures of opposing parties, the party filing the document must first obtain the signatures of all parties on the hard copy paper form of the document. The hard copy paper form of the document bearing the original signatures must be scanned and electronically submitted for filing in a format that accurately reproduces the original signatures and contents of the document. By electronically filing the document, the attorney or self-represented litigant attests that the documents and signatures are authentic.
- f. Certification; Retention of Original Version: By electronically filing or submitting a document using the EFS or presenting a filing at a clerk's office that is scanned into the CMS, the electronic filer, attorney, or self-represented litigant is certifying compliance with the signature requirements of these rules, and the signatures on the document shall have the same legal effect as the signatures on the original document.

An electronic filer, attorney, or self-represented litigant must retain the original version of a document, attachment or exhibit that was filed electronically or scanned into the CMS by the court for a period of seven (7) years following disposition of the matter during which time the electronic filer, attorney or self-represented litigant shall

make the original paper document available for inspection by other parties, the court, or disciplinary counsel upon reasonable notice. The retention period applies only to documents submitted through the EFS and documents scanned at the clerk's office. This rule does not affect other federal or state retention statutes or regulations which may apply to the documents.

Rule 8. Non-public Filings

- a. Overview: Parties may not submit filings containing information that is designated as non-public by federal or state law, court rule, court order or case law and/or which contain Personal Identifying Information as part of a public document. With the exception of *in camera* reviews when necessary, the courts will not review each document to ensure compliance with this rule and are not responsible or liable for the inclusion of such information in an electronically filed document. Case types, documents, and/or information which are deemed to be non-public are identified in the Rhode Island Judiciary Provisional Rules of Practice Governing Public Access to Electronic Case Information.

- b. Documents Containing Non-public Information:
 1. Redaction. When documents containing non-public and/or Personal Identifying Information are necessary for the adjudication of the case, it is the responsibility of the filing party to ensure that non-public information or personally identifiable information is appropriately redacted prior to filing.
 2. Submission of Non-public Filing with Court. If the court requires access to the non-public information which was redacted from the original filing, a separate, non-public version of the document containing the un-redacted information shall be simultaneously filed.
 3. Exchange of Non-public Information with Other Party. If the un-redacted information must be provided to another party in the case but is not needed by the court, the information may be provided separately to that party. Following such submission, the filing party shall file a certification with the court that the non-public information has been provided.
 4. Access. A document marked or submitted as "confidential" in the EFS, non-public, will be accessible only to the parties and/or attorneys in the case, court staff, and where applicable, to certain governmental entities as authorized by law, court rule or court order.
 5. Review. Upon motion, a court may consider any matter relating to the redaction and/or the filing of non-public documents in the EFS in a case before the court.

c. Sealed Documents:

1. Submission. A party seeking to designate a document as sealed upon filing shall assert the basis for the sealed submission in a motion. Neither the motion to seal nor the document in question shall be entered in the case or docketed until the motion to seal has been ruled upon by the court.
2. Access. A document marked or submitted as “sealed” will be accessible only to the court and court staff with the highest security level clearance. Sealed Documents may not be accessible to other parties or the public without a court order.

Rule 9. Fees

- a. Technology Surcharge: A technology surcharge shall be applied to each case in accordance with the schedule published and maintained by the Judiciary.
- b. Waiver: Each court shall have the discretion to waive any fees contemplated by these rules upon motion made to the respective court in which the subject records were filed.

Rule 10. Sanctions

As officers of the court, attorneys are required to abide by the letter and spirit of these rules or be subject to discipline for any knowing and willful violations.

Sanctions may be imposed upon an attorney or party who fails to comply with these Rules upon motion by a party or motion of an individual whose personal or non-public information was published in violation of these Rules, or upon the court’s own initiative.



**THE FAMILY COURT'S
ELECTRONIC FILING
SYSTEM GUIDELINES
FOR DOMESTIC
RELATIONS CASES**

EFFECTIVE NOVEMBER 5, 2014

Revised November 13, 2014

TABLE OF CONTENTS

1. Mandatory Electronic Filing7

 1.1 Overview7

2. Electronic Filing System 7

 2.1 Overview7

 2.2 Registration Requirements 7

 2.2.1 Registered User7

 2.2.2 Overview7

 2.2.3 Training 8

 2.3 Technical Requirements 8

 2.4 Methods of Filing 8

 2.5 Consent to Electronic Service8

 2.5.1 Attorneys Waived From Using the EFS 8

3. Public Access Portal 8

 3.1 Public Access Portal 8

4. Format and Submission of Documents 9

 4.1 Document Type9

 4.2 Submission of Filing 9

 4.3 Labeling of PDF Files9

 4.4 Caption of Pleadings 9

 4.5 Electronic Filing of Documents9

 4.5.1 Case Initiating Document(s) 9

 4.5.2 All Other Pleadings 9

 4.5.3 Categories of Items 9

4.6	Required Documents	9
4.7	Attachment Function in the EFS	10
4.8	Entry of Appearance	10
4.8.1	Filing of Case Initiating Document(s).....	10
4.8.2	Responsive Pleadings	10
4.9	Civil Case Cover Sheet	10
4.9.1	Overview	10
4.9.2	Use of Information.....	10
4.9.3	Filing the Civil Case Cover Sheet with a Case Initiating Document(s)	10
5.	Review of Document Once Submitted	11
5.1	Review by Clerk	11
5.2	Compliance	11
5.2.1	Non-public Information	11
5.2.2	Changing Classification of a Document	11
5.2.3	Further Information Regarding Non-public Documents	11
5.3	Rejection of Documents	11
5.3.1	No Signature	11
5.3.2	Required Documents	12
5.3.3	Electronic Filing of Document	12
5.3.4	Discovery Requests	12
5.4	Notification	12
5.5	Rejected Filings	12
5.5.1	Rule for Resubmission of Rejected Filing	12

5.5.2	Statute of Limitations	12
6.	Service of Process and Issuance of Summonses	13
6.1	Service of Process	13
6.1.1	Case Initiating Document(s)	13
6.1.2	All Other Documents	13
6.1.3	Service on a Non-registered User	13
6.2	Issuance of Summons	13
6.2.1	Registered Users	13
6.2.2	Incarcerated Individuals	13
6.2.3	Attorney Waiver and Non-registered Users	14
6.3	Preparation of Documents	14
6.4	Delivery of Documents	14
6.5	Proof of Service	14
7.	Assignment of Hearings, Scheduling, and Notification	14
7.1	Assignment to Judicial Officer	14
7.2	Hearing Dates	14
7.3	Hearing Dates on Summons	15
7.4	Assignment of Subsequent Hearing Dates	15
7.4.1	Filing of Documents Prior to Hearing	15
7.4.2	Hearing Dates for Motions	15
7.5	Scheduling a Hearing	15
8.	Filing Documents Subsequent to the Initial Filing	15
8.1	Filing of Documents	15

8.2	Waiver of Fees - Motion to Proceed in Forma Pauperis	15
8.2.1	Attorneys and Self-represented Litigants	15
8.2.2	Judicial Officer	15
8.2.3	Motion Granted	15
8.2.4	Motion Denied	16
8.2.5	The Office of Child Support Services, Rhode Island Legal Services, and the Volunteer Lawyer Program	16
8.3	No Documents Filed on Day of Scheduled Hearing	16
8.3.1	Review by Clerk	16
8.3.2	Filing of Documents Before Hearing	16
8.4	Ex Parte Motions, Emergency Motions, and Motions for an Expedited Hearing	16
8.4.1	Hearing Dates	16
8.4.2	Denied Motions	17
8.4.3	Sanctions	17
8.5	Trial Exhibits	17
8.6	Subpoena Duces Tecum	17
8.7	Orders, Judgments, Orders or Judgments from the Department of Human Services, Decree, Decisions Pending Entry of Final Judgment, or Final Judgment.	17
8.7.1	Filing and Service	17
8.7.2	Filing Status	17
8.7.3	Routing	17
8.7.4	Objection.	17
8.7.5	Judicial Officer Review	18
8.8	Sealed Cases	18

8.8.1 Requirements18

9. Signatures18

 9.1 Signature of Judicial Officer18

 9.2 Signature of Clerk 18

10. Closed Cases18

 10.1 Entry of Final Judgment 18

 10.2 Miscellaneous and Divorce Cases18

Appendix A19

1. Mandatory Electronic Filing

- 1.1 Overview - Pursuant to Article X of the Rhode Island Supreme Court Rules Governing Electronic Filing, electronic filing (efiling) shall be mandatory for all parties except for incarcerated individuals or where a waiver is granted in accordance with Article X, Rule 3(c). Self-represented litigants may electronically file documents in accordance with Article X, Rule 3(b) but are not required to do so. If there are any conflicts between Article X, the Rhode Island Judiciary User Guide for Electronic Filing, and the Family Court's Electronic Filing System Guidelines for Domestic Relations Cases, Article X shall control.

2. Electronic Filing System

- 2.1 Overview - The Rhode Island Judiciary's (Judiciary) electronic filing system (EFS) is called Odyssey File and Serve, a product of Tyler Technologies, Inc. Access to the EFS is located on the Judiciary's website at www.courts.ri.gov under the heading of Electronic Filing or the Registered User may go directly to <https://rhodeisland.tylerhost.net/>.

2.2 Registration Requirements

- 2.2.1 Registered User – A Registered User is an individual or entity with an assigned username and password authorized by the Judiciary to access and utilize the EFS.

- 2.2.2 Overview – To become a Registered User of the EFS, an individual or entity shall be responsible for the following:

- A. Maintain an email address where notice and service can be made. An attorney shall register his or her email address with the Supreme Court through the Supreme Court Attorney Portal, Attorney Registration.

It is the responsibility of every Registered User to have a valid, working email address. The Judiciary assumes no responsibility for inoperable email addresses or unread email.

The case management system (CMS) can currently store only one email address per attorney, which shall be the one on file with the Supreme Court. Attorneys may want to configure their own email systems to forward any emails from the court to the appropriate staff within their offices.

- B. Sign a Usage Agreement that establishes the obligations and responsibilities of the Registered User and provides guidelines for the use of the EFS.
- C. Provide and maintain a valid credit card for billing purposes.

- 2.2.3 Training – Registered Users are strongly encouraged to participate in a training session conducted by staff of Tyler Technologies, Inc. via live webinars through the Internet. If you are an attorney, the training session will qualify for one (1) Rhode Island mandatory continuing legal education (MCLE) credit.

As the taped training sessions are available online (on-demand) on the Judiciary’s website, anyone can view them as needed. MCLE credit will not be offered for the self-study taped sessions online. You may register for the webinar training or view the taped sessions on the Judiciary’s website at www.courts.ri.gov under the heading of Electronic Filing, Training or go directly to the following address:

<https://eg2113prss.egain.net/system/templates/selfservice/national/#!/portal/1027/article/4776/When-are-the-Online-Training-Sessions-for-Rhode-Island-RI4776>

- 2.3 Technical Requirements - For technical requirements for using the EFS, please refer to the Rhode Island Judiciary Guide to Electronic Filing available on the Judiciary’s website at www.ri.courts.gov under the heading of Electronic Filing.
- 2.4 Methods of Filing - Registered Users shall no longer be permitted to file by mail. No parties will be permitted to file by facsimile transmission. No parties will be permitted to file in the courtroom except in exceptional circumstances. Except for ex parte motions, emergency motions, motions for an expedited hearing, motions to proceed in forma pauperis, and exceptional circumstances, Registered Users shall not be permitted to file in the clerk’s office. See section 8 within these guidelines.
- 2.5 Consent to Electronic Service – In accordance with Article X, Rules 3(a) and 6(b) of the Rhode Island Supreme Court Rules Governing Electronic Filing, upon the initiation of a case and/or upon submission of an entry of appearance in a matter, Registered Users are deemed to consent to receive electronic service of all documents through the EFS.
- 2.5.1 Attorneys Waived From Using the EFS – Attorneys that are granted a waiver in accordance with Article X, Rule 3(c) shall file a copy of the Order with the filing of all pleadings.

3. Public Access Portal

- 3.1 Public Access Portal - The Public Access Portal is a separate system from the EFS and is the point of entry for electronic access to case information from the Judiciary’s database whether at the courthouse or remotely. The database is an electronic collection of court records displayed as a register of actions or docket sheet. The register of actions or docket sheet lists parties, case events, document filings, or other activities in a case set forth in chronological order.

4. Format and Submission of Documents

- 4.1 Document Type - All documents must be filed in a searchable portable document format (PDF) and completed in full. For further information relating to the formatting of documents, please refer to the Rhode Island Judiciary Guide to Electronic Filing available on the Judiciary's website at www.ri.courts.gov under the heading of Electronic Filing.
- 4.2 Submission of Filing - To file a document, the Registered User must electronically submit the document to the CMS by means of the EFS. The document will then immediately be assigned an envelope number. The clerk's office will review the submission and, if the submission is in order, the submission will be accepted and the Registered User will receive electronic notice of the acceptance. For further information relating to the review of submitted documents by the clerk's office, please refer to the Rhode Island Judiciary Guide to Electronic Filing available on the Judiciary's website at www.ri.courts.gov under the heading of Electronic Filing.
- 4.3 Labeling of PDF Files – All PDF files must be labeled with specificity. For example, Plaintiff [Name]'s Motion for Summary Judgment Against Defendant [Name].
- 4.4 Caption of Pleadings – Pursuant to R.Dom.Rel.P. 10(a), “[i]n the complaint, the title of the action shall include the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties.”
- 4.5 Electronic Filing of Documents - When using the EFS:
 - 4.5.1 Case Initiating Document(s) - The first document(s) filed in a case, including a motion for post final judgment relief. All Case Initiating Document(s), including any required documents, attachments, or exhibits, shall be submitted individually as separate files within the same initial submission or filing;
 - 4.5.2 All Other Pleadings - All subsequent pleadings, motions, and other papers, shall be submitted individually with related documents submitted as separate files within the same submission or filing (for example, a motion and memorandum or other supporting attachments or exhibits filed in support of a motion). The filing should also include an index to the attachments or exhibits submitted as a separate document, for ease in navigating the submission; and
 - 4.5.3 Categories of Items - Categories of items such as bills, receipts, invoices, photographs, etc. may be submitted in one attachment.
- 4.6 Required Documents - Each complaint type and a motion for post final judgment relief have required documents that shall be submitted within the same initial submission. For example, a Complaint for Divorce must be submitted for filing along with a Civil Case Cover Sheet, a Statement of Assets, Liabilities, Income, and Expenses, a Marriage

Certificate, a Statement Listing the Children of the Marriage, and a Motion for Temporary Orders, if any. A listing of the complaint types and the required documents is attached hereto as Appendix A.

4.7 Attachment Function in the EFS - The attachment button in the EFS is used to include more than one document in a filing. Using the attachment feature in the EFS for other than submitting required documents with lead documents or motions with attachments or exhibits may result in documents being misdirected for review by the court and delays in scheduling hearings.

4.8 Entry of Appearance

4.8.1 Filing of Case Initiating Document(s) - An Entry of Appearance is not required when filing Case Initiating Document(s). If there is more than one attorney representing the Plaintiff, each subsequent attorney shall file an Entry of Appearance. The most current Entry of Appearance form is located on the Judiciary's website at www.courts.ri.gov under the heading of Public Resources, Forms.

4.8.2 Responsive Pleadings - An Entry of Appearance is required to be filed with the first responsive pleading.

4.9 Civil Case Cover Sheet

4.9.1 Overview - Pursuant to Article X, Rule 1(f) of the Rhode Island Supreme Court Rules Governing Electronic Filing, a Civil Case Cover Sheet shall be filed with any Case Initiating Document(s). The Plaintiff shall file a Civil Case Cover Sheet for each named party.

4.9.2 Use of Information - Information from the Civil Case Cover Sheet will ensure accurate internal record keeping by the Judiciary. Once the information is entered into the case management system by the court, the document shall be sealed by the court and it shall not be available to the parties or the public due to the personal identifying information contained therein.

4.9.3 Filing the Civil Case Cover Sheet with a Case Initiating Document(s) - After attaching the lead document and all the other required documents, each Civil Case Cover Sheet shall be a separate attachment marked as "confidential." The most current version of the Civil Case Cover Sheet is located on the Judiciary's website at www.courts.ri.gov under the heading of Public Resources, Forms.

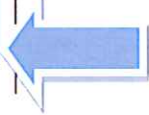
Enter Filing Details



[Add Another Filing](#)

Select Filing Code*	
Complaint Filed	<input type="checkbox"/> EFile
Filing Description	
Reference Number*	
1234	
Documents	
Lead Document*	Complaint.Test.pdf 32.2 kb Description Complaint.Test.pdf <input type="checkbox"/> Confidential
Attachments	Add More Documents Civil Case Cover Sheet.Test.pdf 296.7 kb Description Civil Case Cover Sheet.Test.pdf <input checked="" type="checkbox"/> Confidential
Filing Comments	

[Parties](#)



5. Review of Document Once Submitted

- 5.1 Review by Clerk - Documents submitted through the EFS will be reviewed by the clerk's office for completion before acceptance in the CMS. Documents submitted after 4:00 p.m. will be processed the following day.
- 5.2 Compliance - Documents will not be reviewed for compliance with state and federal law, court rule, court order, or case law designating information or documents as non-public.
 - 5.2.1 Non-public Information - It is the responsibility of Registered Users and self-represented litigants to ensure that non-public information or personal identifying information is appropriately redacted prior to filing and that a document containing any such information is marked non-public.
 - 5.2.2 Changing Classification of a Document - The clerk's office will not change the classification of a document from public to non-public absent a court order.
 - 5.2.3 Further Information Regarding Non-public Documents - For further information regarding the submission of non-public documents, documents containing non-public information, or personal identifying information, please see Rule 8 of Article X of the Supreme Court Rules Governing Electronic Filing and Rule 4 of the Rhode Island Judiciary Rules of Practice Governing Public Access to Electronic Case Information.
- 5.3 Rejection of Documents - In accordance with R.Dom.Rel.P. 1(b)(4), documents will be rejected under the following circumstances:
 - 5.3.1 No Signature - Complaints filed without a signature where required;

- 5.3.2 Required Documents – Complaints and motions for post final judgment relief filed without the required documents as set forth in Appendix A attached hereto;
 - 5.3.3 Electronic Filing of Documents - Pleadings not filed in accordance with R.Dom.Rel.P. 1(b)(3); and/or
 - 5.3.4 Discovery Requests - Discovery requests and responses not filed in accordance with R.Dom.Rel.P. 5(d).
- 5.4 Notification - Notification to the Registered User as to whether the filing is accepted or rejected will be sent to the Registered User through the EFS. For further information regarding the review process and the status of submitted documents, please refer to the Rhode Island Judiciary Guide to Electronic Filing available on the Judiciary’s website at www.courts.ri.gov under Electronic Filing.
- 5.5 Rejected Filings
- 5.5.1 Rule for Resubmission of Rejected Filing - Pursuant to Article X, Rule 5 of the Supreme Court Rules Governing Electronic Filing, “[a] rejected filing shall be promptly corrected and resubmitted and shall be deemed to have been submitted and filed on the initial filing date for purposes of any statutory or rule-based deadline.”
 - 5.5.2 Statute of Limitations – **When the resubmission is filed after the statute of limitations because of a court rejection, the Registered User shall submit a new filing, type “Envelope [put in number] resubmission” (indicating the filing which was previously rejected by the court) in the “Filing Comments,” and attach a copy of the previously rejected submission details.** Once confirmed, the administrator, or his or her designee, of each court shall change the event date in the CMS and ensure that both the original (rejected) document and the newly accepted document are attached to the event for judicial review.

Select Filing Code*
Complaint Filed

Filing Description

Reference Number*
1234

Documents

Lead Document*
Complaint Test.pdf
227.7 KB
Description
Complaint Test.pdf
Confidential

Attachments
Add More Documents
Envelope 3257 Resubmission Test.pdf
222.1 KB
Description
Envelope 3257 Resubmission Test.pdf
Confidential

Filing Comments
Envelope 3257 resubmission

6. Service of Process and Issuance of Summonses

6.1 Service of Process

- 6.1.1 Case Initiating Document(s) – Registered Users shall submit all filings, including Case Initiating Document(s), through the EFS. Case Initiating Documents such as subpoenas and summonses with complaints, petitions, or other documents that are required by statute or court rule to be hand-delivered, delivered in person, or mailed cannot be electronically served.
- 6.1.2 All Other Documents – Documents that are not required by statute or court rule to be hand-delivered or delivered in person shall be electronically served on Registered Users through the EFS.
- 6.1.3 Service on a Non-registered User – Service of all documents shall continue in the manner as provided for in R.Dom.Rel.P. 5.

6.2 Issuance of Summons - The summons shall be issued in the following manner:

- 6.2.1 Registered Users - For attorneys and self-represented litigants who are Registered Users, a summons shall be generated by the court and attached to the case following the acceptance of the complaint or motion for post final judgment relief, Civil Case Cover Sheet, and all other required documents by the court. Registered Users can retrieve the summons through the Public Access Portal;
- 6.2.2 Incarcerated Individuals - For incarcerated individuals, a summons shall be generated electronically by the court and mailed to the individual upon the acceptance of the complaint or motion for post final judgment relief, Civil Case Cover Sheet, and all other required documents by the court; and

6.2.3 Attorney Waiver and Non-registered Users - For attorneys who are granted a waiver pursuant to Art. X, Rule 3(c) of the Rhode Island Supreme Court Rules Governing Electronic Filing and self-represented litigants who do not elect to electronically file pursuant to Art. X, Rule 3(b):

6.2.3.1 A summons shall be generated electronically by the court and handed to the attorney or self-represented litigant at the time of filing the complaint or motion for post final judgment relief, Civil Case Cover Sheet, and all other required documents at the clerk's office;

6.2.3.2 If the complaint or motion for post final judgment relief, Civil Case Cover Sheet, and all other required documents are mailed to the court, a summons shall be generated electronically by the court and mailed to the attorney or self-represented litigant if a self-addressed envelope is included; or

6.2.3.3 If the complaint or motion for post final judgment relief, Civil Case Cover Sheet, and all other required documents are mailed to the court, a summons shall be generated electronically by the court and the attorney or self-represented litigant may obtain the summons at the clerk's office.

6.3 Preparation of Documents - The party requesting a summons or writ is responsible for preparing all copies required for service of the summons or writ along with the accompanying complaint or motion for post final judgment relief, motion, Language Assistance Notice, and other required documents in accordance with R.Dom.Rel.P. 4. The clerk's office will no longer prepare service packets.

6.4 Delivery of Documents - The party requesting a summons or writ is responsible for delivering the summons, writ, complaint or motion for post final judgment relief, motion, Language Assistance Notice, and any other required documents and copies of those documents to the person authorized to serve process in accordance with R.Dom.Rel.P. 4.

6.5 Proof of Service - The Proof of Service must be efiled by scanning the Proof of Service in accordance with R.Dom.Rel.P 4(h) prior to the hearing date.

7. Assignment of Hearings, Scheduling, and Notification

7.1 Assignment to Judicial Officer - The case management system (CMS) will automatically assign a case to a judicial officer upon the acceptance of a new complaint.

7.2 Hearing Dates - The CMS will automatically schedule a hearing date for the complaint. The hearing date will be noted on the summons.

- 7.3 Hearing Dates on Summons - Hearing dates for motions filed along with the complaint will also be noted on the summons.
- 7.4 Assignment of Subsequent Hearing Dates - The clerk's office or the court will assign a date for all motions filed subsequent to the acceptance of the complaint. The hearing date will be approximately thirty-five (35) days after the acceptance of the motion for filing.
 - 7.4.1 Filing of Documents Prior to Hearing - No hearing dates will be assigned prior to the acceptance of the document requiring a hearing.
 - 7.4.2 Hearing Dates for Motions - Unless the dates are assigned in the courtroom, the Registered User will be able to retrieve the hearing date for a motion filed subsequent to the initial filing through the Public Access Portal.
- 7.5 Scheduling a Hearing - Only the judicial officer to whom a case is assigned or that judicial officer's designee may change a hearing date.

8. Filing Documents Subsequent to the Initial Filing

- 8.1 Filing of Documents - Whether the attorney or the self-represented litigant is a Registered User or not, all ex parte motions, emergency motions, motions for an expedited hearing, or motions to proceed in forma pauperis shall be filed at the clerk's office.
- 8.2 Waiver of Fees - Motion to Proceed in Forma Pauperis
 - 8.2.1 Attorneys and Self-represented Litigants - Whether the attorney or the self-represented litigant is a Registered User or not, if he or she seeks to have the court waive the cost of service of process and filing fees, the attorney or the self-represented litigant must file a Motion to Proceed in Forma Pauperis, Order, Affidavit in Support of Motion to Proceed in Forma Pauperis, and other supporting documentation at the clerk's office. The most current version of the Motion to Proceed in Forma Pauperis, Order, Affidavit in Support of Motion to Proceed in Forma Pauperis, and other supporting documentation is located on the Judiciary's website at www.courts.ri.gov under the heading of Public Resources, Forms.
 - 8.2.2 Judicial Officer – Motions to Proceed in Forma Pauperis will be referred to the duty judicial officer for consideration. Whether or not the court grants or denies the motion, the clerk shall file the Motion to Proceed in Forma Pauperis, Order, Affidavit in Support of Motion to Proceed in Forma Pauperis, and supporting documentation in the CMS.
 - 8.2.3 Motion Granted - If the Motion to Proceed in Forma Pauperis is granted, the cost of service of process and filing fees shall be waived and attorneys or self-

represented litigants shall file the complaint, the in forma pauperis pleadings and order, and any other required documents with the clerk.

8.2.4 Motion Denied – If the Motion to Proceed in Forma Pauperis is denied, proper payment shall be made and the Registered User or self-represented litigant shall file the complaint, the in forma pauperis pleadings and order, and any other required documents with the clerk.

8.2.5 The Office of Child Support Services, Rhode Island Legal Services, and the Volunteer Lawyer Program – The Office of Child Support Services, Rhode Island Legal Services, and the Volunteer Lawyer Program are authorized to waive all fees associated with electronic filing. The Office of Child Support Services, Rhode Island Legal Services, and the Volunteer Lawyer Program must select “Waiver” under the “Payment Account” when submitting Case Initiating Document(s). Once the Office of Child Support Services, Rhode Island Legal Services, or the Volunteer Lawyer Program receives a submitted status on the filing, the court shall review and accept or reject the filing.

8.2.5.1 Attorneys participating in the Volunteer Lawyer Program must submit a certification of eligibility letter from the Volunteer Lawyer Program as a required Case Initiating Document.

8.3 No Documents Filed on Day of Scheduled Hearing - With the exception of ex parte motions, emergency motions, motions to proceed in forma pauperis, motions for an expedited hearing, and exceptional circumstances, no documents, including entries of appearance, may be submitted to the clerk’s office for filing or submitted to a clerk in the courtroom for filing on the day of a scheduled hearing.

8.3.1 Review by Clerk - As a general rule, documents will be reviewed by the clerk’s office in a timely manner and entered into the CMS.

8.3.2 Filing of Documents Before Hearing - Documents relating to a scheduled court hearing should be filed a minimum of two (2) business days prior to a hearing.

8.4 Ex Parte Motions, Emergency Motions, and Motions for an Expedited Hearing - Ex parte motions, emergency motions, and motions for an expedited hearing may be filed at any time.

8.4.1 Hearing Dates – Except in exceptional circumstances, a hearing will be scheduled for the day the motion is filed unless the motion is filed less than one (1) hour before the scheduled closing of the clerk’s office. In that case, the motion will be scheduled for a hearing on the following day that the court is in session. Further hearing dates, if any are required, will be set at the discretion of the judicial officer to whom the matter is assigned.

- 8.4.2 Denied Motions - Ex parte motions, emergency motions, and motions for an expedited hearing that are denied by a judicial officer will be retained by the clerk for filing.
- 8.4.3 Sanctions - Filing parties should be mindful that sanctions may be imposed in the case of any motion deemed to have been filed in violation of R.Dom.Rel.P. 11.
- 8.5 Trial Exhibits - Trial exhibits shall not be efiled. Unless otherwise ordered by the judicial officer, trial exhibits are to be submitted in the courtroom when offered as an exhibit.
- 8.6 Subpoena Duces Tecum - The clerk's office will not accept documents submitted in response to a subpoena duces tecum. Those documents will either be returned to the sender or destroyed.
- 8.7 Orders, Judgments, Orders or Judgments from the Department of Human Services, Decree, Decisions Pending Entry of Final Judgment, or Final Judgment – To follow is the procedure for filing an order, a judgment, an order or judgment from the Department of Human Services, a Decision Pending Entry of Final Judgment, or a Final Judgment:
 - 8.7.1 Filing and Service - The document(s) are efiled by the Registered User in the EFS with the court and eserved on the selected parties listed in the "Case Service Contacts" for that case and served conventionally on all non-registered users.
 - 8.7.1.1 Orders, judgments, orders or judgments from the Department of Human Services, or decrees are efiled as "Proposed Orders."
 - 8.7.1.2 Decisions Pending Entry of Final judgment are efiled as "Decisions Pending Entry of Final Judgment, Proposed."
 - 8.7.1.3 Final Judgments are efiled as "Final Judgment, Proposed."
 - 8.7.2 Filing Status - Once the Registered User receives a submitted status on the filing, the court shall review the filing.
 - 8.7.3 Routing - The filing shall then be forwarded to the appropriate judicial officer for review.
 - 8.7.4 Objection - Pursuant to R.Dom.Rel.P. 77(f), "[i]f only one (1) proposed order is filed and no objection is filed within seven (7) days, the clerk shall enter the order upon approval of the court. If more than one (1) proposed order is filed or if an objection is filed within seven (7) days, the order shall be entered only by the court. If an objection is filed, the objection shall contain a request for a hearing with a Certificate of Service in accordance with Rule 1(b)(1)(B) that a copy has been sent to all other parties. In the event two (2) or more proposed orders concerning the same motion are filed within seven (7) days, any interested

party may file a motion to enter an order, with notice of the hearing to all other parties.”

- 8.7.5 Judicial Officer Review - The judicial officer may grant, deny, or modify the proposed order. If the judicial officer signs the proposed order, the document is sent to the clerk to docket in the CMS. Whether the proposed order is accepted, rejected, or modified, notice will be sent to the Registered User’s **email address on file with the Supreme Court (see section 2.2.2.A within these guidelines)** and by mail to non-registered users at the address on file.

8.8 Sealed Cases

- 8.8.1 Requirements – Any pleadings that are to be filed into a sealed case shall be filed directly with the court and not through the EFS.

9. Signatures

- 9.1 Signature of Judicial Officer - Documents requiring the signature of a judicial officer shall be submitted through the EFS and shall include a signature line with the judicial officer’s title typed below the line as well as a line for the date the document is signed by the judicial officer. The document will be transmitted electronically to the appropriate judicial officer for consideration.
- 9.2 Signature of Clerk - Documents signed by a judicial officer do not require a clerk’s signature. There is no need to provide a line for a clerk’s signature on any submitted order, judgment, or decree.

10. Closed Cases

- 10.1 Entry of Final Judgment - A divorce case is deemed closed once the Final Judgment is entered.
- 10.2 Miscellaneous and Divorce Cases - A miscellaneous case and a divorce case in which a motion for post-final judgment relief has been filed are deemed closed when the judicial officer has heard and determined all matters presented in the complaint and/or motion when no further court date has been scheduled.

APPENDIX A

A. Required Documents

A.1 Nominal Track Divorce

Lead Document: Nominal Divorce Complaint

- Attachments:
- a) Civil Case Cover Sheet (form CC-10) for each party named on the complaint (*marked "confidential"*)
 - b) Statement of Assets, Liabilities, Income, and Expenses (DR-6) (*marked confidential*)
 - c) Statement Listing Children, if any (*marked "confidential"*)
 - d) Marriage Certificate or affidavit in support of common-law marriage
 - e) Certified translation of a non-English language Marriage Certificate
 - f) Certification of eligibility letter from the Volunteer Lawyer Program, if applicable

A.2 Contested Track Divorce

Lead Document: Contested Divorce Complaint

- Attachments:
- a) Civil Case Cover Sheet (form CC-10) for each party named on the complaint (*marked "confidential"*)
 - b) Statement of Assets, Liabilities, Income, and Expenses (DR-6) (*marked "confidential"*)
 - c) Statement Listing Children, if any (*marked "confidential"*)
 - d) Marriage Certificate or affidavit in support of common-law marriage
 - e) Certified translation of a non-English language Marriage Certificate
 - f) Certification of eligibility letter from the Volunteer Lawyer Program, if applicable

A.3 Bed and Board

Lead Document: Bed and Board Divorce Complaint

- Attachments:
- a) Civil Case Cover Sheet (form CC-10) for each party named on the complaint (*marked "confidential"*)
 - b) Statement of Assets, Liabilities, Income, and Expenses (DR-6) (*marked "confidential"*)
 - c) Statement Listing Children, if any (*marked "confidential"*)
 - d) Marriage Certificate or affidavit in support of common-law marriage
 - e) Certified translation of a non-English language Marriage Certificate
 - f) Certification of eligibility letter from the Volunteer Lawyer Program, if applicable

A.4 Separate Maintenance Without Commencement of Divorce

Lead Document: Separate Maintenance without Commencement of Divorce Complaint

- Attachments:
- a) Civil Case Cover Sheet (form CC-10) for each party named on the complaint (*marked "confidential"*)
 - b) Statement of Assets, Liabilities, Income, and Expenses (DR-6) (*marked "confidential"*)
 - c) Statement Listing Children, if any (*marked "confidential"*)
 - d) Marriage Certificate or affidavit in support of common-law marriage
 - e) Certified translation of a non-English language Marriage Certificate
 - f) Certification of eligibility letter from the Volunteer Lawyer Program, if applicable

A.5 Miscellaneous Track

Lead Document: Miscellaneous Complaint

- Attachments:
- a) Civil Case Cover Sheet (form CC-10) for each party named on the complaint (*marked "confidential"*)
 - b) Statement of Assets, Liabilities, Income, and Expenses (DR-6) (*marked "confidential"*)
 - c) Statement Listing Children (*marked "confidential"*)
 - d) Birth Certificates (Miscellaneous Complaint for Support, Custody, and/or Visitation) (*marked "confidential"*)
 - e) Certified translation of any non-English language Birth Certificate (*marked "confidential"*)
 - f) Certification of eligibility letter from the Volunteer Lawyer Program, if applicable

A.6 Motion for Post Final Judgment Relief

Lead Document: Motion for Post Final Judgment

- Attachments:
- a) Civil Case Cover Sheet (form CC-10) for each party named on the complaint (*marked "confidential"*)
 - b) Statement of Assets, Liabilities, Income, and Expenses (DR-6) (*marked "confidential"*)
 - c) Certification of eligibility letter from the Volunteer Lawyer Program, if applicable

B. Timeframe for Automatic Scheduling of Dates

The CMS will automatically schedule a court date for complaints and motions based upon the following schedule. If the assigned judicial officer’s calendar cannot accommodate the automatic date, the hearing automatically will be assigned to the next available court session.

<u>Case Type</u>	<u>Auto Scheduling Time Frame</u>
B.1 Complaint for Divorce (Nominal Track)	65 days from acceptance of filing
B.2 Complaint for Divorce (Contested Track)	110 days from acceptance of filing
B.3 Complaint for Divorce from Bed and Board	65 days from acceptance of filing
B.4 Complaint for Miscellaneous Relief	40 days from acceptance of filing
B.5 Complaint for Legal Separation	40 days from acceptance of filing
B.6 Motion for Post Final Judgment Relief	35 days from acceptance of filing

HELPFUL HINTS FROM YOUR FRIENDS AT FAMILY COURT OR HOW TO AVOID "REJECTION"



- The Problem with "Attachments"

- Guideline 4.5.2

All Other Pleadings—All subsequent pleadings, motions and other papers, shall be submitted individually with related documents submitted as separate files within the same submission or filing (for example, a motion and memorandum or other supporting attachments or exhibits filed in support of a motion). The filing should also include an index to the attachments or exhibits submitted as a separate document, for ease in navigating the submission;

- So, attachments (exhibits) to a memorandum or a motion may be filed as attachments to that document in the same envelope.
- Caution: Never file a document that is "docketable" in its own right as an attachment. It will become "hidden" behind the document to which it has been attached.

- Exception: Required documents attached to a lead "case opening or re-opening" document. *See Appendix A to The Family Court's Electronic Filing System Guidelines for Domestic Relations Cases, revised January 29, 2016 (FC Guidelines) and FC Guideline 4.6.*
 - Reminder: Trial Exhibits are not to be e-filed. (FC Guideline 8.5.)
 - Suggestion: Be prepared with a bench copy of a document with numerous attachments to present to the judicial officer in the courtroom.
- The Demise of "Stipulations"
 - Do not submit "Consent Orders", "Orders" or "Entries of Appearance" on a stipulation form.
 - Any document labeled "stipulation" will be docketed as a miscellaneous document. (This pretty much is the demise of the use of "stipulations" in Family Court.)
 - In the rare instance when a stipulation is filed, the filer should select "Miscellaneous Document Filed" as the filing code.
 - Examples of forms for "Consent Orders", "Orders" and "Entry of Appearance" are available on the Judiciary's Website. (They are not mandatory forms but are sufficient under the court rules.)
- It Takes Two to "Consent"
 - Consent Orders must be **signed** by all parties. Otherwise the order will be rejected for lack of proper signatures.
 - When signed by all parties, the consent order will go directly into a judicial officer's queue for signature.

- Time Out

- Do not attach the order, decision or judgment which is the subject matter of a motion to enter out of time along with the motion.
- Do be prepared to present the order, decision or judgment to the judicial officer in court at the hearing on the motion.

- Sign on The Dotted Line

- Do provide a line for the signature of the judicial officer on all orders, decisions and judgments.
- Do not provide the precise title of a particular judicial officer under the signature line. The appropriate title populates with the judicial officer's signature (*i.e. Chief Judge, Justice, General Magistrate, Magistrate.*) Instead provide the all-encompassing title of "judicial officer".
- Do not include a line for the clerk's signature.
- Do not include a date line or the language "Entered this _____ day of _____, 20____".

- Whose Party Is It?

- Do not attempt to add your client as a party to an existing case. In fact in any subsequent pleading skip the party screen.
- Do not enter any information regarding opposing counsel.
- Do not enter an unrepresented opposing party as an attorney.
- Do not enter "interested parties" (*i.e. banks, deponents moving to quash a subpoena, etc.*) as parties.

- Thanks for the Help but. . .
 - A judicial employee must print all documents requiring certification ("true copy attest"). They cannot certify copies provided by parties at the counter.
 - Judicial employees will attempt to provide the copies when requested but time constraints may require that you return to pick up certified copies at another time.

- Ghost Writing
 - All documents must be submitted in PDF format.
 - Fillable forms—even the ones provided on the Judiciary's website—must be printed and scanned; otherwise they are invisible to us.

- Grand Re-Opening
 - To reopen a closed Divorce complaint case select "Post-Final Judgment Motion Filed" as the filing code.
 - To reopen a closed Miscellaneous case select "Misc. Case Reopening Motion" as the filing code.
 - **Do not** re-enter any party's name when reopening a case. Skip the party screen entirely.

HELP DESK



- Help!

- For questions relating to e-filing in a particular case contact the Domestic Relations Help Desk at DomesticRelationsHelpDesk@courts.ri.gov .
- For emergency questions relating to a case call the Clerks' Offices: Kent County at 822-6725; Newport County at 848-5185; Providence County at 458-3200; Washington County at 792-4111.
- For passwords and access issues contact Judicial Technology Center at HelpDesk@courts.ri.gov .
- For "File and Serve" issues contact Tyler Support at 800 297-5377 or efiling.support@tylertech.com .