# **Process for E-filing Habitual Offender Cases**

## **Attorney General Files The Petition**

- Acquire next available date from the Court to schedule Habitual Offender Petitions
- Put schedule date on the Respondent's notice and send, before submitting case via e-Flex.

## In e-Flex:

- Be sure to select the correct County
- When entering Respondent's information, include all addresses to which the Respondent will be noticed.
- E-File petition using e-Flex. Upload these two documents on the 'Add A Document' screen:

FIELD NAME	1 <sup>ST</sup> DOCUMENT: Habitual Offender Petition, including certified driving record	<b>2<sup>nd</sup> DOCUMENT</b> : Request for Rule to Show Cause
Document Category	Initial Filings/Complaints	Initial Filings/Complaints
Document Type	"PETITION – HABITUAL OFFENDER PETITION"	"REQUEST FOR RULE TO SHOW CAUSE-HABITUAL OFFENDER
Page Count	Specify how many pages are in the PDF document	Specify how many pages are in the PDF document
Location	Browse/select PDF document	Browse/select PDF document

Submit e-filed case to the Court.

## Court Reviews Filing, Finalizes Order To Show Cause

### In e-Flex:

- Review documents filed in Clerk Queue.
- Zero out the e-filing fee for habitual offender documents (the 50-cent fees) before accepting petition.
- Print request for Rule To Show Cause and Notice of Hearing
- Accept filed petition.

### Complete the Order:

- Affix Judicial Officer signature and seal of the Court on Order to Show Cause
- Put Case Number on Order To Show Cause so AG will have a record of number assigned to this petition

#### In Contexte:

#### Use CDADOCT to:

- Add docket **4RULS** (RULE TO SHOW CAUSE SIGNED).
- Scan document (Order To Show Cause) to the 4RULS docket code (filer receives automatic notification of scanned document).
- Schedule Habitual Offender hearing in CSAEVNT.

## **Attorney General Serves Respondent**

- Receives e-mail notification of document scanned by the Court.
- Serve Respondent by personal delivery or by mail to the address as shown on the respondent's motor vehicle record with a copy of the following:

Petition

Order To Show Cause

Respondent's driving record or abstract

Day, date and time of hearing

- AG uses e-Flex to file the certificate or notice of mailing to the Respondent.

## **Court Clerk Records Hearing Outcome**

#### In e-Flex:

- Accept notice of mailing from the AG's Office

## At Hearing:

- If case is continued, the Court will generate a notice to the Respondent with new scheduled day, date and time.
- Electronic notification is sent back to the AG referencing the new day, date and time.

#### In Contexte:

- A new report exists that lists those cases where an inactive status has been placed on the cases continued by the AG's Office.
- Review the report to determine next course of action. E-mail report to AG for potential case withdrawals. If withdrawn by AG, close the case.

At the conclusion of the habitual offender hearing:

- If heard by a Judge, docket outcome using code **40HAB** (HAB OFF DECLARED; LICENSE SUSP) and scan signed order.
- If heard by a Commissioner, docket outcome using code **40COM** (COMMISSIONER RECOMMENDED) and scan order. Must be signed by a Judge before sending to DMV.

Mail copy of the Order to the Respondent.

Filer will receive automatic notification of signed order.

E-Mail copy of signed order declaring Respondent as a Habitual Offender to DMV.