

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

**ORDER ADOPTING RULE 79.1
OF THE
SUPERIOR COURT CIVIL RULES OF PROCEDURE**

This 9th day of December, 2002, **IT IS ORDERED** that:

(1) Superior Court Civil Interim Rule 79.1 is amended by striking said Interim Rule 79.1 in its entirety and by adding a new Civil Rule 79.1 as follows:

Rule 79.1. Electronic Filing.

- (a) The electronic filing of documents in the Superior Court of the State of Delaware shall be referred to as “eFile” or “eFiling”.
- (b) When the President Judge of the Superior Court determines that it is appropriate for any civil case, or category of cases, to follow the procedures for eFiling, the President Judge shall designate it as an eFile case or category of cases.
- (c) The President Judge shall establish administrative procedures for the eFiling of documents.
- (d) A technology surcharge of 50 cents per document shall be assessed in each eFile case for the purpose of a fund to operate the eFiling system. The Court shall expend the funds solely for the purpose of operating and maintaining the eFiling system.
- (e) No Delaware lawyer shall authorize anyone to eFile on that lawyer’s behalf, other than an employee of his/her law firm or service provider retained to assist in eFiling.
- (f) No person shall utilize, or allow another person to utilize, the password of another in connection with any eFiling.
- (g) The eFiling of a document by a lawyer, or by another under the authorization of a lawyer, shall constitute a signature of that lawyer under Superior Court Civil Rule 11.
- (h) All eFilings must be signed by a member of the Delaware Bar or party not represented by an attorney in accordance with the eFile administrative procedures.

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- (i) Unless otherwise ordered, the electronic service of a document, in accordance with the eFile administrative procedures, shall be considered service under Superior Court Civil Rule 5.
- (2) This amendment shall be effective January 1, 2003.
- (3) An original of this Order shall be filed with the Prothonotary for each county.