



## **Special e-File Instructions for Attorneys acting as Arbitrators, Mediators and Neutral Assessors in the DE Superior Courts**

### **1. e-Filing documents as an Arbitrator, Mediator or Neutral Assessor**

- At the appropriate time, the Court will add the ADR Attorney as a party to the case through Case & Party Management. It is the Attorney's responsibility to enter any withdrawals and/or substitutions through Case & Party Management.
- Please be sure to use the ADR Document Types when uploading your documents on the Documents tab in the Filing & Service area. These document types are located near the top of the Document Type dropdown list for your convenience.
- When entering your Document Title on the Documents tab, it is imperative that your Document Title be both detailed and specific. This includes Orders as well as other document types.
  - For example, if the document is an Order granting a Motion to Sever, do not just type Order or Order Granting Motion. Instead, type the full document title i.e. "Order Granting Plaintiff John Doe's Motion to Sever Defendant ABC Corporation".
- When you are uploading documents on the Documents Tab, please remember to 'staple' all supporting documents to their main documents in the Attached Documents List. For instance, when you are e-Filing your Order and Questionnaire, staple the Questionnaire to the Order using the "Main/Supporting" column in the Attached Documents List.
- When e-Filing Orders and Questionnaires, upload them as separate documents within the same transaction.
- When appropriate, please link any document that you are uploading on the Documents Tab to related, prior e-Filed documents using the "Linked To" column of the Attached Documents List. For example, you must link any orders on motions to the original motion.
- Because the Proposed Order will be submitted in Word or Word Perfect format, the ADR attorney may download the original format of the document and save and edit as needed in order to create and electronically file the final Order.
- When choosing your "Sending Party" on the Sending Parties tab, the party type will indicate your status as Designated Arbitrator, Designated Mediator or Neutral Assessor.



Your name will be listed under the Attorney Column. This will allow the attorney to electronically file and serve on his/her own behalf as the ADR and not have to be associated with other parties in the case. This will also allow the ADR attorney to be served documents by other parties in the case. Please see the chart below for details:

Party 1st Name	Party Last Name	Party Type	Attorney	Attorney Type
Designated Arbitrator	Arbitrator	Arbitrator	{actual atty assigned as the ADR}	ADR Attorney
Designated Mediator	Mediator	Mediator	{actual atty assigned as the ADR}	ADR Attorney
Neutral Assessor	Assessor	Neutral Assessor	{actual atty assigned as the ADR}	ADR Attorney

## 2. Indicating that you are acting as an Arbitrator, Mediator or Neutral Assessor

- When e-Filing a document while acting as an Arbitrator, Mediator or Neutral Assessor, you must indicate this to both File & ServeXpress and the Court. When e-Filing a document as an Arbitrator, Mediator or Neutral Assessor, you may indicate to File & ServeXpress that you are acting in this capacity by placing a checkmark in the checkbox next to the statement “I am sending these documents as Court-Appointed Counsel/ADR”.
- This statement is located on the Review/Submit tab underneath the “File with the Court and Serve Selected Parties” option. This will ensure that any appropriate File & ServeXpress fees are waived.
  - Note that this DOES NOT include fees for US Mail and Fax charges.
- To indicate to the Court that you are acting as an Arbitrator, Mediator or Neutral Assessor, please write a note to this effect in the “Note to Clerk” area on the Review/Submit tab when e-Filing your documents. This will enable the Clerk to adjust any Statutory Transaction Fees as necessary.

## 3. Special e-File Instructions for Attorneys acting as Arbitrators, Mediators and Neutral Assessors in the DE Superior Courts Service through File & ServeXpress

- Self-Represented Litigants must still receive all service by US Mail. As an Arbitrator, Mediator or Neutral Assessor, if you choose to serve users via US Mail or Fax through File & ServeXpress, you will incur File & ServeXpress Service and Postage Fees, so you may wish to serve them traditionally.



- If an Arbitrator, Mediator or Neutral Assessor chooses to use the “Serve Only – Private” or “Serve Only – Public” options, you will be assessed File & ServeXpress Service fees. To avoid these fees, choose the “File with the Court and Serve Selected Parties” option.

#### **4. Accessing Case Documents and the Case History on File & ServeXpress**

- All documents e-Filed in the case you are acting as Arbitrator, Mediator or Neutral Assessor for will be accessible through the “Case History Search” on the Search Tab in File & ServeXpress.
- Please Note that documents such as Insurance Information will be listed on the Case History. **Do not access/purchase these documents** as the ADR Attorney must sign an affidavit stating that he/she has not read Insurance Information.