



FAMILY DIVISION E-FILING GUIDE

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INTRODUCTORY NOTES

SCOPE OF THIS FILER GUIDE

This guide is NOT intended to be a comprehensive guide to use of the eFile & Serve System. It provides supplemental division-specific guidance for eFiling in the Family Division. Detailed instructions about registering and using the eFiling system are available at:

<https://odysseyfileandservecloud.zendesk.com/hc/en-us> and additional Vermont-specific user guides and other information and training materials about electronic filing are available on the [Vermont Judiciary's website at Electronic Filing | Vermont Judiciary](#)

SYSTEM NAME UPDATES

The Vermont Judiciary's electronic case management and electronic filing systems have recently been rebranded by the vendor that produces them (Tyler Technologies), resulting in some updates to the labels by which those systems are known. For the court's case management system, the name "Odyssey" has been replaced by "Enterprise Justice" or "EJ" for short. For the electronic filing system, the name "Odyssey File & Serve (OFS)" has been replaced by "eFile & Serve" (EFS), with our specific Vermont version also being referred to as "eFileVT." It is understood that many internal and external users may still refer to these systems as Odyssey, and that is perfectly acceptable for purposes of communication to the court and among court users. This notice is being provided to offer context as to why the court's updated instructional materials and announcements will no longer reference the "Odyssey" systems. If there are any questions or concerns about these changes please feel free to reach out to itsupport@vtcourts.gov.

ACCESSING FILE AND SERVE

All Vermont Courts have adopted universal eFiling in all dockets through the eFile & Serve system (EFS), which is a web-based platform accessible from any modern browser on a computer or mobile device. EFS can be accessed directly at:

<https://efilevt.tylertech.cloud/OfsEfsp/ui/landing>

REGISTRATION

Registration for eFiling is free and simple. All that is required is a valid email address. There are different registration options for firm/organizational users and independent users such as self-represented litigants. Instructions on how to register are found in the user guides and other materials in the help section of the EFS website.

NOTE: All users including attorneys and self-represented litigants who choose to eFile must self-register. Court staff cannot complete registrations on behalf of filers or edit any user's registration information.

TRAINING AND SUPPORT

For general information and questions about use of the eFiling system there is a self-help section with numerous resources at:

<https://odysseyfileandservecloud.zendesk.com/hc/en-us>

When logged in to the site, there are help resources available by clicking the small question mark icon in the upper right of the screen.

Vermont specific guides about filing in various divisions and case types are on the Judiciary website's eFiling page <https://www.vermontjudiciary.org/about-vermont-judiciary/electronic-access/electronic-filing>.

For Vermont-specific eFiling procedural question, users can also contact the Judiciary's eFiling support team at EFileSupport@vtcourts.gov .

FILING NEW CASES

CASE CATEGORY

Select “Family” for all family division case types, except for mental health and guardianship proceedings, which are under the “Probate or Mental Health” case category and juvenile delinquency and youthful offender cases (for agency filers only) which are under the “Criminal” category.

NOTE: These designations are a configuration requirement in the eFiling system but have no greater meaning: all of these case types continue to be heard in the Family Division in Vermont.

CASE TYPES

DISSOLUTION CASES

In the court’s case management system, Divorce, Legal Separation, Annulment and Civil Union Dissolution are all subtypes of one of the following case types, which you will select on the “Case Type” dropdown menu when you file:

- Dissolution – Contested with No Minor Children
Dissolution – Contested with Minor Children
Dissolution – Stipulated with No Minor Children
Dissolution – Stipulated with Minor Children

You do not need to select divorce, legal separation or other sub-type during the filing process. Court staff will enter this in the case record when they review and process the filing.

For Nonresident Civil Union Dissolution cases (in which neither party is a current Vermont resident), there is a separate case type:

- Dissolution – Nonresident Civil Union Dissolution

PARENTAGE CASES

There are two parentage case types:

- Parentage – Contested
- Parentage – Stipulated (must have agreements on all issues)

NOTE: Cases formerly filed by the Office of Child Support as “Support and Recovery of Debt” cases are now filed as parentage cases.

REGISTRATION OF A FOREIGN ORDER

When seeking to register and modify or enforce a foreign (from another state or jurisdiction outside of Vermont) custody or divorce order, select the case type “Registration of a Foreign

Order.” Depending on what requests are being made to the court, you will need to select different filing codes in the filing section, which will in turn assess different fee amounts as appropriate:

Filing fees (32 VSA 1431):

- Registration Only: \$90 (Use filing code “Motion to Register a Foreign Order-Registration Only”)
- Register + Modify a Foreign Order: \$40 registration fee + \$120 motion fee: \$160 (Use filing code “Motion to Modify a Foreign Order Concurrent with Registration”)
- Register + Enforce a Foreign Order: \$40 registration fee + \$90 motion fee: \$130. (Use filing code “Motion to Enforce a Foreign Order Concurrent with Registration”)
- When seeking to register a foreign abuse prevention order, select the case type “Registration of a Foreign Abuse Prevention Order.” There are no fees for this type of filing.

RELIEF FROM ABUSE

There are three main Relief From Abuse case types, and two other related case types that also fall into this category :

- Relief From Abuse
- Relief From Abuse On Behalf of (OBO) Minor(s) used when a filer is seeking protection only for a minor child, and not for themselves
- Relief From Abuse, Neglect and Exploitation

Filers seeking to register an out-of-state protective order in Vermont may file this in the Family Division using the case type “Registration of a Foreign Abuse Prevention Order.”

Extreme Risk Protection Orders cases are also filed in the Family Division.

There are no filing fees associated with RFA cases. Filers may use a “waiver” account (a payment method the EFS user must add in their account settings) when filing any type of RFA case.

JUVENILE CASES

Only the state may initiate juvenile (CHINS, Delinquency and Youthful Offender) cases. These case types are marked in EFS as “agency filers only,” though in the rare circumstances when a non-agency filer is statutorily authorized to file one of these cases, they may do so regardless of the “agency filers only” label. Please see the juvenile eFiling guide for more detailed instructions about these case types.

VULNERABLE NONCITIZEN CHILD

To file the petition for this case type, choose Filing Code of Initial Filing There are no filing fees associated with this case type, and the filer must choose a Payment Account of “Waiver” to avoid paying the eFiling use fee.

ORDER RESTRICTING ABUSIVE LITIGATION

Permission to File Pursuant to 15 VSA sec 1185 Use this case type to petition the court for an order restricting abusive litigation. There are no filing fees associated with this case type, and the filer must choose a Payment Account of “Waiver” to avoid paying the eFiling use fee.

PARTY INFORMATION

- Fill in all party information as completely and accurately as possible.
- Required parties in each case type will be listed by default and must be added. Additional parties may be added by clicking the “add another party” button.

NOTE: For case types with minor children, 1 minor child is generally a default required party. Additional minor children can be added to a filing by clicking “add another party.”

FILINGS

FILING TYPE

If using the “eService” function to serve copies of your filing on other parties select “eFile & Serve” from the Filing Type dropdown menu. Otherwise select “eFile.” In most situations in the Family Division eService is only used for subsequent filings on existing cases, after the opposing party has already received the initial case paperwork and they or their counsel have entered an appearance in the case.

FILING CODE

For all new cases in the family division, select “Initial Filing” as the filing code for uploading the Complaint and other initiating documents*.

*The only exception is for Registration of Foreign Order Cases: see section about this case type above for codes to be used.

NOTE: WHEN USING THE FILING CODE “INITIAL FILING” TO INITIATE A CASE IN THE FAMILY DIVISION, YOU DO NOT NEED TO ALSO INDIVIDUALLY ADD FILING CODES FOR THE STANDARD MOTIONS/FORMS OF RELIEF THAT ARE ALWAYS ADDRESSED WITHIN A CASE TYPE. (For instance, dissolution and parentage cases with minor children will always include orders on parental rights and child support – these motions need not be filed separately but are included as part of the divorce complaint).

DOCUMENTS

- Documents must be uploaded in PDF Format.
- PDF documents must be “flat,” meaning without any fillable fields, electronic stickers or other embedded data or objects. For documents with such features, it may require printing to PDF rather than just saving before submitting.
- The complaint or other initiating document should be uploaded as the “lead” document using the “initial filing” filing code.
- Other required documents should be individually uploaded as separate filings (by clicking “add another filing”)
- “Attachments” can be made to a lead document in a filing when the document being attached is directly supporting the lead document (such as an affidavit in support of a motion).
- Confidential documents must be labeled confidential (with the security dropdown) when uploading.
- Public documents containing pieces of confidential information such as bank accounts or social security numbers must have 2 versions filed: an original unredacted version (which may be labeled “confidential”) and a redacted public version omitting or covering the non-public information, as required by the new Rules of Electronic Filing¹.
- For documents in Juvenile and Mental Health cases, generally also select “Confidential” as the document security. For documents filed in most other Family Division cases (Dissolution, Parentage, etc.), select “Public Limited.” Court staff will verify the document security and adjust it as needed during the review and acceptance process.

SERVICE FEES

For domestic cases in which the court is being asked to serve the other party, select the appropriate method of service (usually certified mail when minor children are involved, and first-class mail when there are no minor children) from the “Optional Services and Fees” section in the filing.

IMPORTANT: SERVICE FEES ARE NOT AUTOMATICALLY INCLUDED IN FILING FEES

FOR NEW CASES AND POSTJUDGMENT MOTIONS REQUIRING SERVICE. IF YOU DO NOT INCLUDE AN APPROPRIATE SERVICE FEE WITH YOUR FILING IT WILL CAUSE DELAYS IN YOUR CASE.

Service Fees are generally required for:

- New Domestic Cases: Dissolution (Divorce and other sub-types), Parentage,
- Registration of Foreign Order case types

- Post Judgement Motions to modify or enforce existing orders. If unsure if a fee is due, consult with court staff or check listing of all filing fees at <https://www.vermontjudiciary.org/fees>.
- Service Fees are generally not required for:
- Stipulated Filings (these filings should include written agreements on all issues as well as an acceptance of service form or other proof of service document signed by the non-filing party)
- Motions in pending cases (where final orders have not yet been issued)
- Relief From Abuse filings (Relief From Abuse, Relief From Abuse OBO Child, Relief From Abuse/Neglect/Exploitation)
- Filings made by government agencies or others who are statutorily exempt from paying filing fees.

IF YOU ARE APPLYING TO HAVE FILING AND SERVICE FEES WAIVED (IFP), PLEASE INCLUDE A COMPLETED APPLICATION FORM AND SELECT A SERVICE FEE NONETHELESS. IT WILL BE WAIVED IF THE APPLICATION IS GRANTED.

FILING INTO EXISTING CASES

All existing pending and closed cases are searchable in EFS and available for making subsequent filings. For these cases, use the docket number in its full original format (for older cases from the legacy system you must include the 4-letter county initial/docket code at the end. Use dashes and no spaces between the numbers, then a space before the letters). Some case and party types are “masked” in EFS for confidentiality reasons, meaning that names and other identifying information are not displayed to filers. These types include Juvenile, Mental Health and some Relief from Abuse filings. For these types, you will need to know the county/unit and the docket/case number in order to file into it.

For very old cases (generally pre-1990) that were never in the VTADS system, they will not be searchable to file into EFS. Any filings for such cases may/must be submitted to the court through alternative means (mail or email with clerk’s permission).

POST JUDGMENT MOTIONS

Motions requesting modification or enforcement of existing final orders in cases often require a filing fee as well as service of the motion on the non-filing party.

In domestic cases, the following are the most common post-judgment filing codes:

- Motion to Modify Final Order (use this code for Parental Rights/Parent- Child Contact and Spousal Maintenance modifications – see additional details below)

- Motion to Enforce Final Order (used for Parental Rights/Parent-Child Contact, Property/Debt and Spousal Maintenance)
- Motion to Modify Child Support
- Motion to Enforce Child Support

Other motion type filing codes are also available for filers to select. Any post-judgment motions that do not fit into one of the available motion types should be filed using the “Motion Miscellaneous” filing code. You will receive notification from the court for any filing fee that must be paid.

When filing, the motion itself should be the lead document and any affidavits or other supporting documentation to the motion can be attachments. If multiple motions are being filed, each should be its own lead document.

POST JUDGMENT MOTIONS TO MODIFY PARENTAL RIGHTS AND RESPONSIBILITIES (PRR) AND/OR PARENT CHILD CONTACT (PCC)

- There is a post-judgment filing fee of \$120 (not including any applicable service fees) for filing one or both of these motions; the fee is only charged once even if both motions are filed, as long as they are filed together at the same time (if filed at different times, a fee would apply to each). To eFile a motion to modify PRR and/or PCC, you should select the filing code “Motion to Modify Final Order”, which will assess the required filing fee.
- Although the general rules for eFiling require separate motions to be filed separately, a motion to modify both PRR and PCC may be filed together on one motion form, whether using court form #843 (available on the Judiciary website under “court forms”) or an individually drafted motion. When court staff accept and docket the filing, they will enter separate motion events for each type of relief being requested.
- Filers may also see available filing codes for “Motion to Modify PRR” and “Motion to Modify PCC,” but please be aware that these will not assess the appropriate fee and should only be selected if used as a 2nd/additional filing code in addition to the “Motion to Modify Final Order” code, or in a situation in which a filing fee would not be required for some other reason, such as a request to modify an order pre-judgment.

POST JUDGMENT MOTIONS TO ENFORCE ORDERS (NON-CHILD SUPPORT)

- For Post-Judgment PRR/PCC enforcement motions, use the filing code for “Motion to Enforce Final Order”* which will assess the required \$90 filing fee. This can be used for enforcement of PRR and/or PCC. Separate filing codes for each are not required.
- *However, if the enforcement motion is being filed concurrently with another motion with a higher fee (such as a motion to Modify the Final Order), do not use this filing code, but instead use another available filing code “Motion to Enforce PRR,” “Motion to

Enforce PCC,” or the generic filing code “Motion to Enforce” – see section below on Filing Multiple Post Judgment Motions with Different Fees for more details).

- The filing code “Motion to Enforce Final Order” may also be used for issues related to Property or Spousal Support. It should NOT be used for child support enforcement issues (see separate section below).

POST JUDGMENT MOTIONS TO MODIFY CHILD SUPPORT

- Post-judgment motions to modify child support require a \$45 filing fee (not including applicable service fees). Use the filing code for “Motion to Modify Child Support- Post-judgment Fee Required \$45” unless the motion to modify child support is being filed concurrently with another post-judgment motion with a higher fee (see section below on Filing Multiple Post-Judgment Motions with Different Fees). In those situations, use the filing code for “Motion to Modify Child Support – prejudgment/no fee.”

POST JUDGMENT MOTIONS TO ENFORCE CHILD SUPPORT

- Use the filing code for “Motion to Enforce Child Support.” There is no filing fee for this motion, but filers are still generally obligated to pay the applicable service fees for serving the motion on the other party(s) (service fee is added under optional services).

AGENCY FILERS

Government agency filers and other entities who are exempt by rule or statute from paying any court filing fees will continue to be exempt from paying fees when filing in EFS. Such filers should set up a “waiver” payment account when registering and use this for filings made in the course of their official job duties.

FEES

In addition to specific case filing fees, there is a \$14.00 per filer, per case system use fee, payable upon a party’s first filing. Convenience fees also apply with a 2.89% processing fee for credit card payments and \$1.00 per case for eCheck payments. However, a number of exemptions remain in place. All criminal filings are automatically exempt from the case fee and for any case type where there is no court fee, the party filing will not incur the user fee either.

Please note:

- The per case system use fee is \$14 per party, per filer, charged once upon first filing. If a party’s representation changes from one firm to another, the fee will be charged again upon the new firm’s first filing into the case. A self-represented litigant who chooses to use the eFiling system is also required to pay the fee upon first filing. If a pro se litigant

later seeks representation, the fee would be charged again upon the firm's first filing against the firm's payment account.

- Some filers may be erroneously re-assessed the \$14 charge as a result of merging of system entities in Odyssey (a process to correct duplicate records for the same individual). When a party entity for whom the per case fee has been paid is merged into another entity for whom the fee has not been paid, the fee will assess again. Filers in those situations should reach out to efilesupport@vtcourts.gov for a refund.

EXEMPTIONS

For the following exemptions, parties should choose a waiver account when filing:

Statutory or rule exemptions

- Government and appointed filers, pursuant to 32 V.S.A. § 1433 and Rule 10(d)(1) of the Rules for Electronic Filing (2021)
- Stalking & Sexual Assault cases, pursuant to 12 V.S.A. § 5133(f)
- Relief from Abuse cases, pursuant to 15 V.S.A. § 1103(f)
- Abuse Prevention for Vulnerable Adult, pursuant to 33 V.S.A § 6933(b)

As applied economic hardship exemptions

- Fee waiver determination, pursuant to 32 V.S.A. § 1431(h) or 32 V.S.A. § 1434(b) in Probate cases, and
- Fee waiver determination, pursuant to V.R.C.P. 3.1 and V.R.P.P. 3.1
- Government agency filers and others who are statutorily exempt from paying filing fees may file via a "waiver" account that can be set up for each registered user. There is a guide to creating a waiver account posted at <https://www.vermontjudiciary.org/about-vermont-judiciary/electronic-access/electronic-filing>.

A waiver account would also be used by anyone filing an Application to Waive Filing and Service Fees (formerly IFP/In Forma Pauperis). Filers upload the completed application in PDF format along with their other filing(s) and are notified after court review whether the application has been granted. If the request is denied, the filing will still be accepted but the filer will be sent a notice of a deadline for making payment of the appropriate fee.

Case filing fees paid to the Court are established by statute. Current fees and authorizing statutes are available at <https://www.vermontjudiciary.org/fees>.

The latest updates and answers to frequently asked questions regarding electronic filing are available on the Judiciary website at <https://www.vermontjudiciary.org/about-vermont-judiciary/electronic-access/electronic-filing>.

WAIVER OF FILING FEES (FORMERLY “IN FORMA PAUPERIS” PROCESS)

To request a waiver of filing and service fees when submitting either a new or a subsequent case filing through EFS, select “waiver” as the payment method (the filer must have a waiver account set up as a payment method – this can be done in the filer’s EFS account settings).

You must include, as a separate filing in your envelope, a completed Application to Waive Filing Fees (form # 228, available on www.vermontjudiciary.org) in PDF format.

Important: Do not upload the form as an attachment to your lead document; rather, after uploading your other documents, click on “Add Another Filing” then use the filing code “Application to Waive Filing and Service Fees.”

Cases will be accepted by the court through EFS regardless of whether the filer qualifies for a waiver or not. Review is completed by court staff after the initial acceptance from the eFiling system. If the request to waive fees is denied, or if the filer fails to submit the required documentation, they will receive notice from the court instructing them on corrective actions needed to avoid dismissal of the filing.

AFTER HOURS EMERGENCY FILINGS

Filings submitted through EFS are generally only reviewed during the court’s business hours. Filings received after hours will be reviewed when the Court is open.

After hours filings for RFAs, Juvenile matters and other emergencies should continue to be submitted through other established means.

ESERVICE

The eFiling system contains an eService feature that allows filers to simultaneously submit documents to the court and serve them on opposing parties/counsel who are also registered in the eFiling system.

Vermont’s Rules for Electronic Filing require service of filed documents on other eFilers to take place through the system unless the parties agree in writing to an alternative method. Please see the eService Guide and other related materials on the Judiciary’s eFiling page for further details on using the eService function.

When a filing is submitted through the eFiling system but is served on any parties through any alternative means (because the recipient is not an eFiler or because there is an agreement between the parties), the filer must also submit a certificate of service in compliance with applicable rules.

REQUESTING COPIES

NOTE: Many documents in newer and active cases are available to be printed and downloaded for free from the Public Portal for users with a right of access. Most older cases that have not had recent activity continue to be held in paper files from which copies must be requested.

Information about eFiling requests for copies of courts records is below. Information about other methods of requesting copies can be found on the Court's website at [Requests for Access to Court Records | Vermont Judiciary](#)

Regular photocopies, certified copies and exemplified copies of court documents may be requested through the eFiling system by filing a request into the case from which you are requesting document copies. Requests may be submitted on their own or in conjunction with other filings.

- Using the filing code "Copy Request," submit a letter or document clearly stating the request including the specific documents for which you want printed copies, and whether you need a regular, certified or exemplified copy and how you would like the document(s) sent to you (mail or email). Please note that certified copies produced and delivered electronically will have a certification stamp image and signature electronically applied.
- For some purposes and in some other jurisdictions a raised seal and original signature is required, so requests should state clearly which method is needed.
- To submit payment for the copies, in addition to selecting the filing code and attaching a written request, the filer must select the appropriate copy type and fee from the "Optional Services" section. There are different fees for each type of copy so be sure to select the correct option.
 - Regular printed copies of court documents cost 25 cents/page and there is a \$1.00 minimum for any copies, so if the document is 1-4 pages long the cost will be \$1.00 (select the option for "photocopies1-4").
 - Printed copies of documents longer than 4 pages will be [# of pages X 25 cents] (select the option for "photocopies 5+" and enter the total# of pages of the document(s)).
 - Certified copies have a fee of \$5.00 per document.
 - Exemplified copies have a fee of \$10.00 per document

VIEWING CASE RECORDS

Case records (docket entries, orders, etc.) cannot be viewed in the eFiling system. Case records are available on the Vermont Judiciary Public Portal at:

<https://portal.vtcourts.gov/Portal>

User guides and other information about the Public Portal is located at
<https://www.vermontjudiciary.org/about-vermont-judiciary/public-portal>

REFILING AFTER REJECTION

WHEN A FILING IS REJECTED

- The filer will receive an email with the rejection reason and any comment the court may add
- The filer can see the envelope in their filing history, accessible from the home screen and can view it by clicking the Actions dropdown and selecting Envelope Details

If the filing was rejected, the filer has 7 days to refile with a correct document in order to retain the original filing date.

TO REFILE AN ENVELOPE AFTER REJECTION

- Click on the Actions dropdown menu
- Select “Copy Envelope”

A new filing envelope will be created as a copy of the returned one, which the filer can now edit and resubmit. Court reviewers will see that it is copied and can assign it the filing date of the original envelope if it is refiled within 7 days.