



# CIVIL AND SMALL CLAIMS E-FILING GUIDE

**\*\*\*Notes:**

- 1) *This document is NOT intended to be a comprehensive guide to use of the Odyssey File & Serve System. See information below regarding user guides, trainings and other materials for filers. This document provides supplemental division-specific guidance for e-filing in the Civil Division.*
- 2) *During the initial launch of Vermont's new Odyssey File and Serve e-filing program, it is anticipated that this and other user guides will be subject to frequent updates and revisions. It is recommended that users NOT print hard copies of this guide, but refer as needed to the version online, which will be kept current with all updates.*

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## Accessing Odyssey File & Serve

All Vermont Courts are adopting universal efilng in all dockets through the Odyssey File & Serve (OFS) system, which is a web-based platform accessible from any modern browser on a computer or mobile device.

OFS can be accessed via a link on the Vermont Judiciary's website, or directly at:

<https://vermont.tylerhost.net/ofswb>

## Registration

Registration for efilng 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 "self-help" section of the OFS homepage.

Payment Account: Each user will need to set up a Payment Account to pay for court filing fees.

## Training and Support

On the OFS homepage there is a "self-help" section with numerous resources:

- Live web training sessions and recorded trainings that can be viewed any time
- A Database of FAQs
- Chat and messaging with support personnel
- Training videos
- Downloadable user guides

*Note: Odyssey File and Serve is hosted and managed by Tyler Technologies. Court staff have only a limited ability to provide support for questions and issues related to the efilng system.*

## Filing New Cases

- a. **Location** – Select the appropriate county
- b. **Category** – Select "Civil" for all civil division case types, including Small Claims
- c. **Case Types**
  - i. **Administrative Document – Answer No Complaint Filed** – to only be used if filing an Answer to a case that has not been already filed. Filer should first try to find the Case Number, and if the Case Number does not exist, filer can use this case type to file Answer.
  - ii. **Small Claims** – Choose the correct case type based on the amount of the claim:
    1. Small Claims up to \$1,000
    2. Small Claims over \$1,001
  - iii. **Stalking and Sexual Assault** – There are four case types:
    1. Sexual Assault

2. Sexual Assault on behalf of a Minor
3. Stalking
4. Stalking on behalf of a Minor

There are no filing fees for a Stalking/Sexual Assault case. Filers may use a “waiver” account, which is a payment method the OFS user must add in their account settings, when filing these cases.

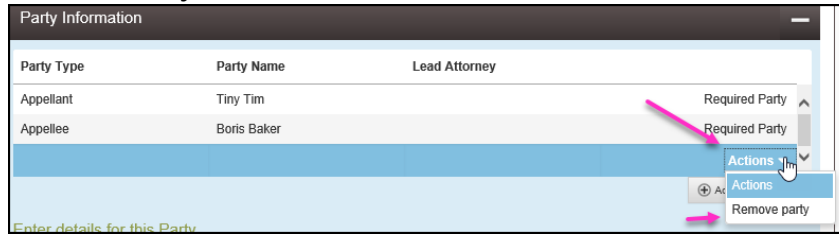
iv. **Contract**

1. Contract – Other
2. Contract – Buyer Plaintiff – Case type is used for cases involving a buyer of goods or services alleging failure of the seller to deliver goods or services

v. Filer must click **Save Changes** after each section before progressing to the next section

d. **Party Information**

- i. Fill in all party information as completely and accurately as possible
- ii. After first party information entered, filer must click “Save Changes” before moving to enter next party.
- iii. 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.
- iv. If filer accidentally clicks “Add Another Party”, to remove the line, click Actions, Remove Party:



e. **Filings**

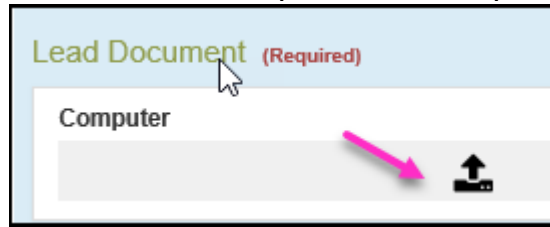
- i. **Filing Type:** If using the “eServe” feature (see info in user guides), select “eFile & Serve” from the Filing Type dropdown menu. Otherwise select “eFile”.
- ii. **Filing Code:** For all new cases in the civil division, select “**Initial Filing**” as the Filing Code for uploading the Summons and Complaint and other initiating documents.
  1. Includes Small Claims cases – use Initial Filing

iii. **Documents:**

- Documents must be uploaded in PDF Format
- The complaint or other initiating document should be uploaded as the “lead” document and other supporting documents should be individually uploaded as separate Attachments.
- Each document uploaded must have a Security type selected or filer cannot proceed.
- Documents containing confidential information such as social security numbers must be labeled as a “confidential document” from the Security

dropdown menu by the document, and where required by the new Rules of Electronic Filing<sup>1</sup>, a redacted version must also be filed.

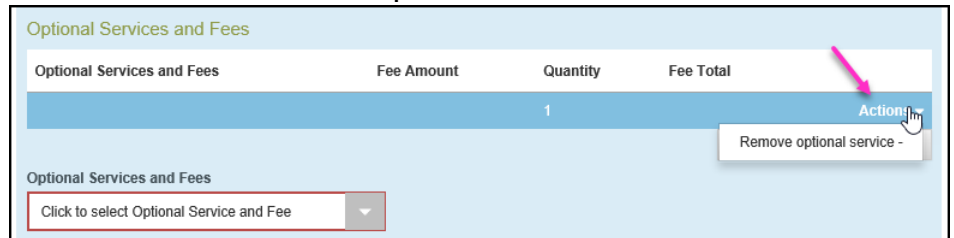
1. Lead Document – Upload the main pleading



- a. Select document from computer to upload
  - b. Click Save Changes if no Attachment to upload
2. Attachment – Upload any supporting document to the Lead document
- a. Click Save Changes after uploading Attachment
3. If Filer wants to add another filing, separate and apart from the original lead document, filer must click “Save Changes” then click “Add Another Filing.”

iv. Optional Services and Fees: *Service to request copies of documents, exemplified copies, certified copies, or public record retrieval. See more in Section VII below.*

1. Click “Add Optional Services and Fees”
2. Select service in drop down
3. If filer accidentally clicks Optional Services and Fees
  - a. Click Actions and Remove Optional Service:



v. Filer must click “Save Changes”

f. Counter Claims, Cross Claims, and Third Party Claims

- i. Select the appropriate filing code for each so that accompanying fee is assessed
  1. Civil Counterclaim - \$90.00
  2. Civil Crossclaim - \$120.00
  3. Civil Third Party Claim - \$120.00

ii. If filing with an Answer, label the code with the Claim, and include in description Answer

g. Fees

- i. Filer selects payment account
  1. If Filer files an Application to Waive Filing Fees, filer will need to create a Waiver Account to use for the filing fee, which will waive all filing fees.
- ii. Filer selects person responsible for fees, which is the person filing
- iii. Filing Attorney – will populate when using Attorney Account

<sup>1</sup> VREF 5(b) (5&6); PACR 7(a)(1)

- iv. Click “Save Changes”
  - v. *Service and Convenience Fees*. There will be a service and convenience fee added to the total due.
- h. [Submission Agreements](#)
- i. Filer must Certify that filer is in compliance with the Rules for Public Access to Court Records by checking the box
  - ii. Click Summary
- i. A summary of the Envelope displays, Filer must click “Submit”

## Filing into Existing Cases

All existing pending and closed cases will be searchable in OFS and available for making subsequent filings. For older cases that originated in the previous case management system, use the existing docket number in its full original format (including the 4 letter county initial/docket code at the end).

- j. Select Location
- k. You can find case by entering case number or search for party name
- l. When case comes up, click Actions and select appropriate option

## Post Judgment Motions

- m. Most motions filed after Judgment generally require a filing fee.
- n. If filing a post judgment motion, select the existing motion with a post judgment fee or if there is not a listed motion, select Motion Miscellaneous with \$90.00 fee.

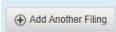
## Agency Filers

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 OFS. 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.

## Waiver of Filing Fees (*formerly known as “In Forma Pauperis” Process*)

To request a waiver of filing fees when submitting either a new or a subsequent case filing through OFS, 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 OFS account settings).

You must include a completed Application to Waive Filing Fees (form # 228, available on [www.vermontjudiciary.org](http://www.vermontjudiciary.org)) in PDF format.

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 OFS regardless of whether the filer qualifies for a waiver or not. Review is completed by court staff after the initial acceptance from the e-filing system. If the request to waive fees is denied, or if the filer fails to submit the application form, they will receive notice from the court instructing them on how much is due and the date by which it must be paid to avoid dismissal of the filing.

## Appeals

- a. When filing an Appeal of a Civil case, file the Notice of Appeal in the existing civil case and pay the filing fee to the Civil Division.

## Requesting Copies, Public Record Retrieval and other Optional Services

Regular photocopies, certified copies and exemplified copies of court documents may be requested in the “optional services” section when submitting a filing.

**IMPORTANT:** when selecting any of these services, please also upload document (the format does not specifically matter, and the filing code of “Document(s)” can be used) clearly stating the request including the specific documents for which you want printed copies, and whether you need a regular, certified or exemplified copy. There are different fees for each so be sure to select the correct option.

**Photocopies:** 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 “photocopies 1-4”).

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)).

Please also indicate clearly on your filed request document whether you want the documents mailed to you (if so, specify address), or whether you wish to be notified when the copies are available for pickup (if so, specify notification method).

**Certified Documents:** Documents may be certified electronically and delivered to you via email if electronic certification is suitable for your purposes. Please specify if you would like that option (likely shorter turnaround time) or need a hard copy with a raised/embossed seal (may be required for some foreign jurisdictions).

## Refiling after Rejection

- a. When a filing is rejected:
  - i. Filer will receive an email with the rejection reason and any comment the court may add
  - ii. Filer can see the envelope on the Dashboard of Filer’s Account
    1. Click Returned Filings
    2. Find rejected envelope
    3. Click Actions
    4. View Envelope Details
- b. Click to Expand Filings Section

- c. If filing was rejected, filer has **7 days** to refile with a correct document in order to retain the original filing date.
- d. Process to follow:
  - i. Go to Filings Tab
  - ii. On the rejected filing, to far right, click 4<sup>th</sup> button “Copy this envelope”



## Support and Troubleshooting

- a. Case and docket-specific questions:  
Examples include which forms to file for a particular case type, or to check the status of a submitted filing please contact court staff or consult information available at <https://www.vermontjudiciary.org/civil>.
- b. Technical issues or questions related to the functioning of Odyssey File & Serve:  
Please see the resources available in the “Self-Help” section on the OFS homepage. These resources include live assistance with Tyler Technologies support staff through various methods (phone, email, live chat) as well as a variety of user guides, FAQs and other sources of information.