Mental Health Docket eFiling Guide

: This guide is NOT intended to be a comprehensive guide to use of the Odyssey File & 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://vermont.tylerhost.net/ofsweb -Self-Help section of the efiling website contains links to manuals for general system use, as well as various other help resources including training videos and webinars. https://www.vermontjudiciary.org/about-vermont-judiciary/electronic-access/electronic-filing - VT Judiciary website efiling page, contains division-specific filer guides, videos and training and support information

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Accessing Odyssey File & Serve

All Vermont Courts have adopted universal efiling 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's efiling page at https://www.vermontjudiciary.org/about-vermont-judiciary/electronic-access/electronic-filing or directly at: https://vermont.tylerhost.net/ofsweb

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 "self-help" section of the OFS homepage

Note: all users including attorneys and self-represented litigants who choose to efile must <u>self-register</u>. 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, on the OFS homepage https://vermont.tylerhost.net/ofsweb 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, messaging and other contact options for support
  - Training videos
  - Downloadable user guides

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

access/electronic-filing, also accessible here from the homepage:

  - There is also a Judiciary efiling helpdesk for Vermont-specific efiling procedural questions at JUD.EFileSupport@vermont.gov *Please use this email for efiling questions and do not send efiling questions to the main Judiciary Helpdesk email.*

Filing a New Mental Health Case

It is recommended that you set up templates by filing type to streamline your filing process and insure a consistent format on filings. For more information on setting up templates see Chapter 8 of the Firm and Criminal Filer User Guide, available in the "self help" section on the OFS website. When using a template you will need to fill in the information for each Respondent as well as any other information particular to that case, and attach the correct documents.

1. Select your location
2. Select the category of "Probate of Mental Health" *Note: this is simply a product of the system configuration and does not represent any change in jurisdiction or venue of MH cases, which are still heard in the Family Division.*
3. Select Case Type, then click Save Changes.
4. Fill in the parties. On the template, the Applicant should be the Dept of Mental Health as a Business Entity. In the "Filer ID" field, enter "**21785**". *This is the Odyssey ID# for the DMH entity- this will ensure that duplicate entities are not created during the filing process. This can be set on your templates.*
5. For the Respondent information you will need to fill in the name, date of birth, and address with each filing (i.e. not on the template).
6. Add any additional parties/participants such as the physician/psychiatrist by clicking "add another party".
7. Click Save Changes when all parties are entered.
8. Under filings, when initiating a new case, select *Initial Filing - Confidential* as the code under which you will attach the application/other initiating document.
9. The Application should be uploaded as the lead document under the "initial filing – confidential" filing code.
   - Other substantive documents related to the application (e.g. the physician's statement) may be combined in the same lead PDF document as the application. Alternatively, if needed, such documents may also be added as attachments to the lead document.
   - Cover letters and certificates of service should NOT be included in the same PDF document as the application. Those two documents can be combined into one PDF and included as an attachment to the lead document.
   - If you are filing any additional motions/independent requests for relief, they should be added as a separate filing in the envelope (click "add another filing" and select the appropriate motion code).
10. Click Save changes after each attachment.
11. Under fees, select your *waiver* account and the filing attorney. *The waiver account needs to be set up by the firm administrator as a payment method.*
12. Check the submission agreements and click summary
13. Click Submit if all looks good
14. You will receive an email confirming the submission of the envelope.

Subsequent filings into Existing Cases

<u>Searching for Case</u>: When making a subsequent filing into an existing case you will need to know the case # and county/location. Party names are masked in MH and other confidential case types and will not return on searches. However, a search on the county and case number will return the case. The older pre-Odyssey case numbers will work for searches in their original formats including the county docket letters at the end.

<u>Motions for Revocation</u>: file these as subsequent filings into the existing case in which the order in question was issued. These do NOT need to be new and separate cases.

<u>Family Division Guardianship and Act 248 Review Cases</u>: These cases were never entered into the old case management system so not all existing/closed cases may be available in the efiling system. If you cannot locate a case of one of these types to file into in OFS, please contact the court to have them either enter the case in Odyssey or direct you re: filing by alternative means.

eService

The efiling system contains a "Serve" 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 Serve 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.

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://publicportal.courts.vt.gov/Portal/.

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