

FOR IMMEDIATE RELEASE

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Court of Chancery Updates E-Filing System Effective September 15, 2025

Effective September 15, 2025, the Court of Chancery's electronic filing system will contain new features designed to aid the court's transition to an automated case assignment system. The new features will also allow the court to process new causes of action under the Uniform Health-Care Decisions Act.

File&ServeXpress will be hosting webinar trainings concerning the new features on September 4, at 1 p.m. EST. A link to the webinar will be available at FileandServexpress.com. The webinar will be recorded and made available to the public.

New Electronic Supplemental Information Sheet

The biggest change is that the updates will replace the Supplemental Information Sheet, which plaintiffs must complete when filing new civil actions, with a graphical user interface that includes drop-down menus. This format will generate more uniform, accurate, and accessible data, allowing the court to better monitor case trends. "We also hope that the electronic format will make new filings easier for filers," said Chancellor Kathaleen St. J. McCormick.

New Definition Of "Related Cases"

The interface will introduce a new definition of "related cases." Under the new definition, "cases are related if they arise from the same factual predicate or transaction and involve overlapping companies or parties." Under the new definition, a case will not necessarily be assigned to a judge who previously handled litigation involving a defendant corporation unless the prior litigation involved the "same factual predicate or transaction" as the new matter.

The new definition is more tailored than the prior definition adopted in early 2023. As one means to address the court's workload crisis, the prior definition considered a breadth of factors intended to promote judicial efficiencies through the case assignment process. Chancellor McCormick explained that "the court still faces a workload crisis, but we are now deploying new solutions to address it, thanks in part to funding from the General Assembly."

Step Toward An Automated Case Assignment System

The interface is also a step toward automating Chancery's case assignment process. Beginning in early 2025, the court partnered with File&ServeXpress to develop

software that will automate the case assignment system. The automated system will implement the current rules of assignment, which the court also recently updated.

The recent changes to the rules of assignment involve three primary innovations. First, the new definition of “related case” allows the court to assign more cases on a pre-established rotation. Second, cases are now subdivided into categories and assigned on multiple wheels; previously, all cases were assigned on a single wheel. Third, imbalances in workload among judicial officers are now addressed through case reassignments rather than at the time of assignment. The intent of these changes is to simplify the rules of assignment and ensure that judicial officers receive an even number of new civil actions within the broader case types.

“The current assignment system resulted from a collaborative pilot program spearheaded by Vice Chancellor Morgan T. Zurn. I am grateful for her leadership on this matter,” said the Chancellor. Categories of cases previously assigned to the Magistrate Judges, including books and records and advancement actions, will continue to go to the Magistrate Judges. The Standing Order executed by Chief Justice Seitz allowing the Chancellor to send categories of contract disputes to Superior Court Judges in the Complex Commercial Litigation Division will also remain in effect.

New Causes Of Actions Involving Health-Care Decisions

The court has also taken steps to respond to the Uniform Health-Care Decisions Act of 2023, which becomes effective September 30, 2025. The Act creates two new types of actions within the Court of Chancery’s jurisdiction: capacity disputes under 16 *Del. C.* § 2506 and disputes regarding healthcare decision-making under 16 *Del. C.* § 2526.

To facilitate these new types of action, the court has created new “case types” within File&ServeXpress and will soon publish new forms and amend the Court of Chancery Rules to address these actions.

Senior Magistrate Judge Selena Molina remarked: “The court remains committed to protecting Delaware’s vulnerable adults and will provide additional information about how these cases will be handled shortly.”