

eFiling Frequently Asked Questions

What is eFiling? The Probate and Family Court is now accepting eFiled cases using Odyssey File and Serve provided by Tyler Technologies. This system will allow attorneys and self-represented litigants to file electronic documents through the internet.

How do I register to use eFiling? Go to www.efilema.com and click on the "Get Started!" icon. You will also find self-help tutorials, FAQ's, and web training sessions to help you e-file for the first time.

What types of cases can be eFiled in the Probate and Family Court at this time?

- [Change of Name for Adult](#)
- [Change of Name for Minor](#)
- Complaint to Establish Paternity
 - Complaint for Modification
 - Complaint for Contempt
- [Complaint for Custody, Support, Parenting Time](#)
 - Complaint for Modification
 - Complaint for Contempt
- Complaint for Divorce 1B
 - Complaint for Modification
 - Complaint for Contempt
- Joint Petition for Divorce 1A
 - Complaint for Modification
 - Complaint for Contempt
- Petition for Formal Probate
- Petition for Informal Probate
- Petition for Late and Limited Formal
- Voluntary Administration Statement
- Petition for Guardianship of Minor
 - Petition for Removal of a Guardian of Minor
 - Petition for Resignation of Guardian of a Minor
- Petition for Guardianship of Incapacitated Person
 - Petition to Expand/Modify/Limit Powers of a Guardian
 - Petition for Termination of Guardianship
 - Petition for Removal of a Guardian
 - Petition for Resignation of Guardian

- Petition for Appointment of Conservator
 - Petition to Expand/Modify/Limit Powers of a Conservator
 - Petition for Termination of Conservatorship
 - Petition for Removal of a Conservator
 - Petition for Resignation of Conservator
- Petition for Adoption

All other types of cases must be filed by mail or in person.

When can I file my paperwork? The Tyler eFiling system is available 24/7 for you to file. Anything filed by 11:59 PM will be treated as if it was filed that same business day.

Do I need to file everything using eFiling? No. eFiling is not mandatory at this time.

Is there a fee to eFile? Yes. In addition to the court filing fee, if you are filing a new court case that does not already have a case/docket number, there is a one-time fee of \$22.00, plus a credit card processing fee (of the total amount).

The fees above are applied to the envelope submitted regardless of the number of documents included and charged at the time the filing is accepted by the court.

Can I eFile in my existing court case with additional documents? Yes, you can file more documents into your existing court case. This is referred to as filing a Subsequent Filing or filing a Subsequent Action.

What is the difference between a Subsequent Action and Subsequent Filing? A Subsequent Action is a court term describing an additional action that is filed within a case that has an order, judgment, or decree issued by the Judge. If there is a court filing fee associated with subsequent action it will be charged at the time of filing.

For example: Complaint for Modification and Complaint for Contempt are Subsequent Actions.

A Subsequent Filing is an eFile term used for any document that is filed within a case that has already been created and does not have a court filing fee. When filing you will not be charged any fee.

For example: Motion, Financial Statement, and Answer to Complaint are Subsequent Filings.

You will need the correct and complete case/docket number to file into an existing case.

What types of Subsequent Actions can I eFile?

You can eFile the following types of subsequent actions:

1. Complaint for Modification (relating to child and/or alimony)
2. Complaint for Contempt

These can **only** be eFiled in Divorce 1B, Joint Petition for Divorce 1A, Custody, Complaint to Establish Paternity and Custody, Support, Parenting Time case types.

3. Conservatorship case types:

- a. Petition to Expand/Modify/Limit Powers of a Conservator

- b. Petition for Termination of Conservatorship
 - c. Petition for Removal of a Conservator
 - d. Petition for Resignation of Conservator
4. Guardianship of Incapacitated case types:
- a. Petition to Expand/Modify/Limit Powers of a Guardian
 - b. Petition for Termination of Guardianship
 - c. Petition for Removal of a Guardian
 - d. Petition for Resignation of Guardian
5. Guardianship of Minor case types:
- a. Petition for Removal of a Guardian of Minor
 - b. Petition for Resignation of Guardian of a Minor

At this time no other Subsequent Action filings are being accepted in eFiling. They need to be brought to the court in person or sent by mail.

What is the fee when a modification is filed for multiple cases for the same parties? If a party is filing one complaint for modification that cross-references other cases, and the parties are the same in all of the cases, then one fee would be charged.

Once you complete the filing of the complaint in the first child's case with the fees paid, then file the same complaint and any additional documents in the next child's case. In the payment fee section, select "waiver" as the payment option. This will remove all fees associated with the filing and will then show \$0. Continue this process for each additional modification with the same parties.

The additional complaints will only be accepted by the court if the fee has been paid on the first child's case, unless you are filing an Affidavit of Indigency (please see process below).

Do my filings need to be submitted in a certain order? When filing a new case, the complaint and petition must always be filed first. There is then a requested preferred order for the additional filings to follow. If filing into an existing case (subsequent filings), there is no preferred order, except for the Annual Rogers Review.

The preferred order for filings can be found at: <https://www.mass.gov/guides/preferred-order-for-e-filing-in-the-probate-and-family-court>

Can I eFile an Affidavit of Indigency? Yes, an Affidavit of Indigency can be eFiled for your initial case filing and for Subsequent Actions. You may also need to include the Supplement to Affidavit of Indigency form when eFiling.

Can I upload all my documents into one PDF file when I submit? No. Each document must be uploaded separately using its own specific filing code. If a filing code is not available in Tyler, it cannot be eFiled at this time. If there are multiple documents submitted within one filing code, the filing will be returned by the court and must be corrected and re-submitted.

Will I be notified once I submit my documents and if they are accepted or returned? Yes. You will receive an email with an envelope number once you submit your documents to the court. If an eFiling is returned, you will receive an email and all documents will be returned including a brief

explanation as to why the filing is incorrect. Your credit card will not be charged. If accepted, you will receive email verification, with the case/docket number attached and your credit card will be charged.

What is an Envelope Number in Tyler? An envelope number in Tyler represents the documents submitted by you when initiating a case or filing into an existing case. This envelope number is used to track the status of the eFilings until they are either accepted or returned.

I submitted a new case and it was returned. Only one of the documents was incorrect. Why weren't the other documents accepted? If there is a document that is incorrect, the whole envelope will be returned. This keeps for accuracy of all the filings within the envelope when reviewing. If the correct documents are accepted and the incorrect is returned, the incorrect document would then need to be re-submitted as a Subsequent Filing.

If my submitted envelope is returned, do I have to upload all of the documents again to re-submit everything? No. When you look into your returned cases, click the Action drop down and select "copy envelope", the documents will automatically upload into a new envelope. You will need to complete the party information, but the documents from the returned envelope will already be uploaded. This allows you to easily fix the incorrect filing(s) within the first envelope. Once all the necessary information is complete, you may re-submit the new envelope.

Do I need to provide an original filing to the court? No, unless a document is required by rule or statute to be filed in original form such as, but not limited to, an original will. See process below.

In order to be accepted by the court, all uploaded documents filed electronically MUST be legible, including the certified stamp or seal for any document that is required to be certified (e.g., a death or marriage certificate).

Original Wills: An action to probate an **original will** may be eFiled. To do so, a copy of the will must be uploaded, and the **original will** mailed or delivered to the court no more than five (5) calendar days from the date of eFiling. If the **original will** is not in the court's possession within the five (5) day time limit, any Letters of Authority shall not issue and the filing may be denied.

When eFiling, what do I select for "Filing Type" in the drop down as there are three options? The options "EFile" and "EFile and Serve" allow you to electronically file with the court and send courtesy copies to other party(s) involved.

The "**Serve**" option will not file your document with the court. Serve is used to only send a courtesy copy to the other party(s) involved in the case.

How will I receive my summons/citation? You will receive your summons/citation by mail and service must be completed in the traditional manner. There has not been any change in regards to how a summons/citation is received from the court or how to complete proper service.

I am having a technical issue with the Tyler website, who should I contact? You must contact Tyler using the number provided if there are any technical issues within the Tyler website.

To contact Tyler: 1-800-297-5377. All procedural questions can still be directed to the court.

For all recent and updated information on eFiling in the Trial Court, visit our website:
<https://www.mass.gov/guides/efiling-in-the-probate-and-family-court>