

Comprehensive Standard Operating Procedure(SOP) for the Model Digital Family Court, Sasthamkotta

1. Introduction

The Kerala High Court, in furtherance of its e-Courts initiative and vision of a paperless justice delivery system, is implementing a **Model Digital Family Court, Sasthamkotta**. This SOP consolidates the procedures for **filing, case handling, viewing, production and retention of documents, service of processes, transfer of cases, and payment workflows**. This SOP is supplemental to the Civil Rules of Practice, 1971 (Kerala) and the Criminal Rules of Practice, Kerala, 1982.

2. Scope

2.1. This SOP applies to:

- 2.1.1.** All cases instituted in the Model Digital Family Court, Sasthamkotta.
- 2.1.2.** Cases transferred from other Family Courts to the Model Digital Family Court, Sasthamkotta.
- 2.1.3.** All litigants, advocates, court staff, and officers associated with filing and case management in the Model Digital Family Court, Sasthamkotta.
- 2.1.4.** Digital infrastructure as mandated for paperless operations.

3. Filing of Cases

3.1. Access to the E-Filing Portal:

- 3.1.1.** Filing shall be exclusively through the **DCMS Portal**: <https://filing.keralacourts.in>.

3.2. User Registration

- 3.2.1.** Advocates, litigants (party-in-person), advocate clerks, and organisations must register in DCMS.

3.3. Types of Filings

- 3.3.1.** Main case filing, petitions, counter filings, Vakalaths, caveats, and other filings shall be done as per **the Electronic Filing Rules for Courts (Kerala), 2021**.

- 3.3.2. Optional physical filing is allowed only in categories exempted under Rule 10 of the **Electronic Filing Rules for Courts (Kerala), 2021**.
- 3.3.3. If any case is not e-filed due to technical reasons or is physically filed as permitted under Rule 10 of the *Electronic Filing Rules for Courts (Kerala), 2021*, it shall be mandatory that all such applications, once physically filed, are e-filed through the e-filing system immediately after the system becomes operational. The resubmission shall be done at the earliest possible time and **shall not be delayed beyond the same working day once the system is restored**.
- 3.3.4. The practice of physical filing of electronically filed pleadings and other documents, as stipulated in Clause 22 of the SOP published as per O.M. No. ECC4/11101612017(II) dated 31.12.2021 is dispensed with, subject to the conditions laid down hereinafter.

3.4. Verification of pleadings and Registration

- 3.4.1. Filings shall be submitted in the DCMS portal by selecting Model Digital Family Court, Sasthamkotta.
- 3.4.2. Once a filing is submitted, it will be verified electronically by the designated officer(s) attached to the Family Court, Kollam, in charge of the verification of pleadings of the Model Digital Family Court, Sasthamkotta and register the case/petitions/documents/vakalath as per the Rules.
- 3.4.3. However, an application for exemption from e-filing as per Rule 10 of the Electronic Filing Rules for Courts (Kerala), 2021 shall be filed/submitted at the Model Digital Family Court, Sasthamkotta.
- 3.4.4. The scrutiny/verification and registration of the physical records of the cases/petitions/documents/vakalath for which exemption under Rule 10 of the Rules is granted shall be done by the Junior Superintendent or such other officer of the Model Digital Family Court, Sasthamkotta, as authorised by the Judge of the Court.

3.5. Court Fees & Payments

- 3.5.1. All payments shall be made **online via DCMS**.

- 3.5.2. Credit of court fee and other payments will be **directly transferred to the Treasury account of the Model Digital Family Court, Sasthamkotta.**
- 3.5.3. Balance/deficit fees shall be paid using the “Balance Payment” module in DCMS.
- 3.5.4. In the case of registration of cases/pleadings as per Rule 10 of the Electronic Filing Rules for Courts (Kerala), 2021, and if physical court fee stamps are not available, the case may be registered on accepting an undertaking for payment of court fees online. And in such cases, e-payment shall be done through the balance/deficit fees module in DCMS and the Court shall ensure the e-payment of fees.

4. Cases Received through Transfer

- 4.1. Cases from other Family Courts may be transferred to the Model Digital Family Court, Sasthamkotta, provided the entire records, including the proceedings paper, are digitised and approved as per the extant Rules and practice.
- 4.2. Upon transfer, all digital records, including pleadings and metadata, will be migrated into the DCMS under the Model Digital Family Court, Sasthamkotta.

5. Handling of Case Files

5.1. Digital Case Files

- 5.1.1. Entire case files will be digital. The Judicial Officer can access them via the **DCMS dashboard.**
- 5.1.2. Features include: today’s cause list, prior orders, annotations, AI-assisted summaries, and real-time dashboards.

5.2. Production of Documents

- 5.2.1. For the purpose of SOP, “documents” shall be classified into the following three types:

5.2.1.1. Natively Digital Document (Born Digital):

A document that is created, generated, and stored in a digital format, without any paper-based or physical precursor.

Provided that a certified copy issued in digital form under any Rules or procedure prescribed by the High Court shall also be deemed to be a natively digital (born digital) document.

5.2.1.2. Physical Document:

A document that exists in a tangible, non-digital form, such as paper, parchment, or any other physical medium.

5.2.1.3. Digitally Converted Copy:

A digital version of a physical document that has been subsequently converted into a digital format, either in whole or in part, through scanning, imaging, or any other method of digital reproduction.

- 5.2.2.** On electronically filing the digitally converted copy of physical documents, including pleadings, the e-filer shall mark in the e-filing portal whether such digitally converted copy of the document is so generated from the original physical document or a copy of the physical document.
- 5.2.3.** When natively digital documents, including pleadings, are filed, the e-filer shall mark in the e-filing portal that such documents are natively digital.
- 5.2.4.** The documents uploaded shall be complete and readable. When the document is not legible, a typed copy of the document duly certified by the respective party or the Advocate, as the case may be, has to be uploaded.
- 5.2.5.** When a particular portion or paragraph of the document uploaded is not legible or readable, the respective party or the Advocate, as the case may be, has to upload a typed copy of that portion or paragraph and shall give an undertaking that a typed copy of that document shall be produced as and when directed by the Court.
- 5.2.6.** When a particular portion or paragraph of the document uploaded is not legible or readable and the respective party or the Advocate, as the case may be, is not in a position to provide a typed copy of the same, since it is not readable, and the said portion or paragraph of the

document is not required for the adjudication of the *lis*, the Advocate or party, as the case may be, shall give an undertaking that the said portion or paragraph of the document which is not legible or readable is not required for the adjudication of the *lis* and will not be relied upon.

5.3. Preservation of Disputed or Original Physical Documents:

Responsibility for producing such originals lies with the party as per Rule 8(3) of the Rules.

5.4. Power of Court to Require Production:

5.4.1. The SOP does not affect the power of the Court to direct the production of original documents for verification, either *suo motu* or upon application by a party.

5.4.2. At the time of evidence, the e-filer tendering documentary evidence based on a digitally converted document shall, unless otherwise directed by the Court, produce and tender the corresponding original physical document, if it is not in the custody of the Court.

5.4.3. In the case of filing of a digitally converted document and if the original physical document is in the custody of the e-filer and it is one found to be impounded at the appropriate stage as per the Kerala Stamp Act, 1959, the Court shall direct the e-filer concerned to produce the original document under the provisions of the Kerala Stamp Act, 1959.

5.5. Production of Reports and other Documents by Commissioners, third parties etc.

5.5.1. Advocates/officials engaged in a case by court order, including an advocate Commissioner/*Amicus Curiae*, shall e-file the reports, documents, including witness depositions or such other documents as required by the court. However, except in a natively digital form of documents, the original physical document shall be produced in court.

5.5.2. The reports or documents submitted by third parties or witnesses in physical form shall be digitally converted by the court concerned, uploaded to the case, and keep the original physical document as per this SOP and dealt with as per the existing Rules.

5.6. Handling of Original Physical Documents Upon Production:

- 5.6.1.** The filing of the original physical documents, when required, shall be done before the Junior Superintendent or such other authorised officer of the Model Digital Family Court, Sasthamkotta.
- 5.6.2.** On production of the original physical document, the Court may return the original after verification with the digitally converted document corresponding to the original or retain the original for future reference. The physical records retained by the Court shall be securely stored in the Model Digital Family Court, Sasthamkotta, as is done in the conventional courts.
- 5.6.3.** The physical file received in a case permitted under Rule 10 of the e-Filing Rules shall be kept and dealt with as noted above. However, the e-filer shall comply with the requirement of uploading the pleadings and other documents in compliance with the SOP issued as per O.M. No. ECC4/11101612017(II) dated 31.12.2021.
- 5.6.4.** The production, return or retention of original physical documents with dates shall be recorded in the information tab of the portal about the case.
- 5.6.5.** If the natively digital document or digitally converted document, subject to the rules of evidence, is marked as an exhibit, such marking shall be made with such identifiers as may be required by the Rules of Practice on the natively digital document or digitally converted document, as the case may be, but without affecting the integrity of the document.

5.7. Return of Original Documents:

- 5.7.1.** The original physical documents retained by the Court, but which have not been tendered in evidence, as well as those which have not been admitted in evidence, though tendered, and not required to be retained for any proceedings, shall be returned to the person who produced them as per the Rules prescribed in this regard.
- 5.7.2.** The general procedure for return of original physical documents, including their destruction, shall be as per the Civil Rules of Practice or special rules, if any, made; however, the application, memo, etc., shall be in electronic form, and the action taken thereon shall be marked in the information tab of the portal about the case.

5.8. Retention & Return of Originals

- 5.8.1. Originals of documents produced after the registration of a case/pleading for verification may be returned after verification, unless they are directed to be retained.
- 5.8.2. Retained originals will be recorded in the system and securely stored in the Model Digital Family Court, Sasthamkotta, as is done in the conventional courts.
- 5.8.3. At the evidence stage, unless otherwise so directed, originals shall be produced if relied upon by the party relying on them.
- 5.8.4. Return of originals will be processed electronically on an application made as per the Rules and shall be recorded in the DCMS.
- 5.8.5. **Cause List**
- 5.8.6. Cause lists in the Model Digital Family Court, Sasthamkotta, shall be generated and published through DCMS in two ways:
- 5.8.7. **Cause List No. I - Cause List for the Court:**
 - 5.8.7.1. Courts may prepare and publish their cause lists directly in DCMS.
 - 5.8.7.2. These cause lists will be visible to advocates, litigants, and the public immediately after publication.
- 5.8.8. **Cause List No. II - Cause List for the Junior Superintendent or such other officer as authorised by the Court:**
 - 5.8.8.1. Cause List No. II can be generated using the **CMO Causelist Draft Generation** available in the Court **Proceedings** module.
 - 5.8.8.2. The draft is sent digitally to the Judicial Officer for **approval**.
 - 5.8.8.3. Only after approval, the cause list becomes **publicly available** in DCMS.
- 5.8.9. **Proceedings in Cause List No.II :**
 - 5.8.9.1. All proceedings generated under the Junior Superintendent cause list shall be **entered** in DCMS.
 - 5.8.9.2. Such proceedings will remain in “pending approval” status until verified and digitally approved by the Judicial Officer.

5.8.9.3. Once approved, the proceedings shall be visible to the **public and parties** in DCMS.

5.9. Both Cause Lists (I & II) will be digitally published and available to all stakeholders through the **DCMS portal and display boards**.

6. Preparation and service of Notices and Other Processes

- 6.1.** To standardise the preparation, tracking, and service of notices and other civil processes shall be generated electronically using the Nazareth module in the DCMS Portal and shall be transmitted using the DCMS NSTEP mobile application. Detailed step by step-by-step guidelines are available at the DCMS portal.
- 6.2.** The civil processes so generated and signed digitally shall be transmitted to the Family Court, Kollam or such other establishment/Court as decided by the Principal District Judge, Kollam, for actual service to the parties, if the manner of service is not by post.
- 6.3.** The tracking and reporting on service of processes shall be through the Nazareth module in DCMS, and the information shall be updated by the recipient court's Nazirate in the system.
- 6.4.** If processes are ordered through the post, the facility of e-post shall be explored.
- 6.5.** The process directed to the police for the proceedings under Section 125 Cr.P.C./Section 144 BNSS shall be generated and managed using the Criminal Process module in the DCMS Portal. The processes for revenue recovery shall be routed through the designated government web portal for this purpose.
- 6.6.** However, this shall not apply to processes issued to parties residing outside the State of Kerala and in such cases, the digital processes shall be transmitted as provided in para 6.2, and the Nazirate of the recipient Court shall process the same through NSTeP or other mode. The report about the status of service shall be updated in DCMS by the recipient Court to make it available to the Model Digital Family Court, Sasthamkotta.

7. Counselling

- 7.1. For the counselling of the parties, the services of the Counsellors attached to the Family Court, Kollam or such other Family Court(s) in Kollam, as decided by the Principal District Judge, Kollam, shall be utilised.
- 7.2. When counselling is ordered in a case, the Principal Counsellor shall be informed about it and get the case allotted to a Counsellor. Upon receiving information regarding such an assignment, the case shall be allotted to the dashboard of the Counsellor concerned from the Court end.
- 7.3. Counsellors may, as far as possible, use video conferencing platforms to conduct counselling sessions, ensuring accessibility and convenience for all parties involved.
- 7.4. Following the completion of the counselling process, the Counsellors can submit their report directly through their dashboard.

8. Paperless Proceedings

- 8.1. Orders including proceedings paper, notes, and judgments shall be digitally prepared, signed, and uploaded.
- 8.2. Court proceedings will be conducted entirely through digital infrastructure: All-in-One PCs, extended monitors, tablets, VC units, scanners, etc.

9. Video Conferencing Facility

- 9.1. **Integrated VC Platform:** The Model Digital Family Court, Sasthamkotta, shall use the V Consol-secured video conferencing interface or such other video linkage platform as instructed by the High Court.
- 9.2. **Global Accessibility:** Parties, witnesses, and advocates may join from anywhere in the world using the web-based or dedicated mobile application.
- 9.3. **VC Management:**
 - 9.3.1. The Court Master/Court Officer shall control admission, muting, breakout rooms, and exhibit-sharing.
 - 9.3.2. Parties may share documents digitally during VC, subject to the court's permission.

- 9.4. Hybrid Proceedings:** The court may conduct physical and VC hearings, ensuring equal access to all parties.

10. Evidence – Parties & Witnesses (Mode of Recording)

- 10.1.** Witness depositions shall be recorded digitally through voice-to-text transcription, dictated by the presiding Judge.
- 10.2.** Exhibits and documents produced during evidence shall be digitally tagged and uploaded to DCMS.
- 10.3.** Metadata of witness depositions will be indexed for quick retrieval.

11. Certified Copies

- 11.1.** Certified copies shall be applied for and issued through the DCMS online.
- 11.2.** When certified copies of digitally converted documents are issued, they shall contain a statement that the copy is generated from the digitally converted document filed in Court.
- 11.3.** Offline Copy application shall not be allowed. However, in exceptional circumstances, as per the orders of the Court, certified copies may be issued offline.

12. Registers and Returns

- 12.1.** All statutory registers and returns shall be maintained electronically in DCMS, and the electronically generated statements and returns shall be submitted to the higher courts through the eOffice suite.

13. Trial Court Records

- 13.1.** The Court Records for the Model Digital Family Court, Sasthamkotta, shall be maintained exclusively in digital form.
- 13.2.** When an appeal or other proceedings are filed against the order/judgment/proceedings of the Model Digital Family Court,

Sasthamkotta, the Trial Court Records (TCR) shall be transmitted digitally only through DCMS.

- 13.3.** No physical records shall be sent, except in extraordinary situations as directed by the appellate authority.

14. Monitoring, Compliance, and Reporting

- 14.1.** The Principal District Judge, Kollam, shall monitor and report the functioning of the Model Digital Family Court, Sasthamkotta, to the High Court every month:

14.1.1. No. of working days in paperless mode.

14.1.2. No. of cases listed/disposed digitally.

14.1.3. Any deviations and reasons.

15. Technical Support

- 15.1.** A **Helpdesk mechanism** shall be active during court hours with an exclusive e-Sewa Kendra in the court premises.
- 15.2.** Issues shall be escalated through the Senior System Officer, Kollam, to the High Court Technical Cell for resolution.

16. Power to Amend/Modify or Alter the SOP:

The High Court of Kerala retains its power to amend, modify, or alter in full or any portion of this SOP as and when so required.

Note :

- All administrative file processing, including communications in the Model Digital Family Court, Sasthamkotta, shall be carried out exclusively through the E-Office platform.