

**Do's and Don'ts for Filing in an Electronic Age**

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**Do's and Don'ts for Filing in an Electronic Age**

- Clerk's Office
  - Handles over 55,000 documents per year
  - Est. 1,917 documents returned since e-filing
    - Colored ink
    - No bookmarks
    - Improper pagination
    - Defective proof of service (e.g., wrong address)
    - Containing confidential information
    - Duplicative or premature filing
    - Incorrect case number

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**Do's and Don'ts for Filing in an Electronic Age**

- Quick poll

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**Do's and Don'ts for Filing in an Electronic Age**

- Do consult the rules
  - [Local Rule 5](#)
    - [www.courts.ca.gov/3dca](http://www.courts.ca.gov/3dca)
    - Forms & Local Rules
  - Cal. Rules of Court, rules 8.70 – 8.79

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**Do's and Don'ts for Filing in an Electronic Age**

- [Local Rule 5](#)
  - E-filing is mandatory for attorneys
  - This includes attorneys who are representing themselves in an appeal
  - Governs, among other things
    - File size
    - Manual filing
    - Formatting
    - Rejection of documents not in compliance

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**Do's and Don'ts for Filing in an Electronic Age**

- California Rules of Court
  - [Rule 8.70](#), Application, construction, and definitions
  - [Rule 8.71](#), Electronic Filing
  - [Rule 8.72](#), Responsibilities of court
  - [Rule 8.73](#), Contracts with electronic filing service providers
  - [Rule 8.74](#), Responsibilities of electronic filer
  - [Rule 8.75](#), Requirements for signatures of documents

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**Do's and Don'ts for Filing in an Electronic Age**

- [Rule 8.76](#), Payment of filing fees
- [Rule 8.77](#), Actions by court on receipt of electronic filing
- [Rule 8.78](#), Electronic service
- [Rule 8.79](#), Court order requiring electronic service

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**Do's and Don'ts for Filing in an Electronic Age**

- Do properly format briefs and appendices
  - 25 MB
  - Text searchable
  - Correct pagination
  - Correct pagination across multiple files
  - Tabs and placeholders
  - Bookmarks
  - No color

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**Do's and Don'ts for Filing in an Electronic Age**

- Do keep the file size below 25 MB
  - Documents larger than 25 MB must be broken into multiple files, less than 25 MB each
  - More than five files must be submitted on a flash drive, CD Rom, or DVD
- Do send a notice of manual filing

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**Do's and Don'ts for Filing in an Electronic Age**

- Do use the naming convention on your flash drive, CD Rom, or DVD
  - E.g., C012345\_Appendix\_pp5-10\_Jones
- Do not use spaces in the naming convention

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**Do's and Don'ts for Filing in an Electronic Age**

- Text searchable
- Do not lock the document

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**Do's and Don'ts for Filing in an Electronic Age**

- Do paginate correctly
- Use only one set of numbers (Arabic)
- Begin numbering on the cover, which may be suppressed, and continue to the last page.

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**Do's and Don'ts for Filing in an Electronic Age**

- Do paginate correctly across multiple files
- E.g., if the first file ends on page 300, the cover of the second file shall be page 301.

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**Do's and Don'ts for Filing in an Electronic Age**

- Pagination across multiple volumes



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**Do's and Don'ts for Filing in an Electronic Age**

- Do use tabs and placeholders
  - A tab is a separate page identifying the content following the tab.
  - A placeholder is a separate page indicating that a sealed or confidential item has been submitted separately.

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**Do's and Don'ts for Filing in an Electronic Age**

- Do use bookmarks
  - Each heading, subheading, and component of a document requires a bookmark
    - This includes motions that contain headings, subheadings, or components
  - Do use adequate descriptions for bookmarks to a tab, exhibit, or attachment
  - Hyperlinks are not required, but are allowed

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**Do's and Don'ts for Filing in an Electronic Age**

- Do not submit color, e.g., signatures
- Do not scan documents in high resolution, which produces the same result as color
- Scan in black and white, 300 dpi (dots per inch)

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**Do's and Don'ts for Filing in an Electronic Age**

- Do protect personal privacy of your clients
- The responsibility for excluding or redacting private identifiers rests with the parties and their attorneys

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**Do's and Don'ts for Filing in an Electronic Age**

- Do follow the rules for sealed and confidential documents
  - [Rule 8.45](#), General provisions
  - [Rule 8.46](#), Sealed records
  - [Rule 8.47](#), Confidential records
- Records retain their status in appeals from the trial court

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**Do's and Don'ts for Filing in an Electronic Age**

- Sealed records
  - Do file a redacted and unredacted version of the document to be filed under seal if it is necessary to disclose sealed material in a public filing, e.g., motion, brief, petition
  - Do properly label each version
  - Do file a motion to seal if the material was not previously sealed by the trial court
  - Do file a motion to unseal if the material was previously sealed by the trial court and should be public

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**Do's and Don'ts for Filing in an Electronic Age**

- Confidential records
  - Do file a motion if necessary to disclose confidential material in a filing
  - Do submit two versions with the motion: redacted and unredacted
  - Do correctly label the versions submitted with the motion

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**Do's and Don'ts for Filing in an Electronic Age**

- Do not wait until the last minute to submit your document through TrueFiling

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**Do's and Don'ts for Filing in an Electronic Age**

- Do not send paper, it will be returned

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**Do's and Don'ts for Filing in an Electronic Age**

- Do get the case caption correct
  - It has to match the caption that appears on the court's docket sheet

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**Do's and Don'ts for Filing in an Electronic Age**

- Do get the proof of service correct
  - Must comply with the rules
  - Addresses must match those on the court's docket

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**Do's and Don'ts for Filing in an Electronic Age**

- Do sign up for notices on the court's web page

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**Do's and Don'ts for Filing in an Electronic Age**

- Do call with questions
  - TrueFiling Help
    - 1-855-959-8868
    - Open until 6 p.m. PT
  - Clerk's Office
    - Hours 8:30 a.m. to 4:30 p.m.
    - 916-654-0209

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**Do's and Don'ts for Filing in an Electronic Age**

- Other resources:
  - <http://www.courts.ca.gov/3dca-efile.htm>
  - YouTube videos (search TrueFiling)

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**Do's and Don'ts for Filing in an Electronic Age**

- Questions?

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