1 2 2				Supreme Court Rules Regarding Electronic Filing Amended and effective March 18, 2020
3				
4	Rule 1. Application; electronic filing system.			
5 6		-	-	rn electronic filing in the Supreme Court under California Rules of Court, rules 8.70 – 8.79. ronic filing system (EFS) is operated by ImageSoft TrueFiling (TrueFiling).
0 7	The co	Juits	electi	Tome ming system (EFS) is operated by magesont fruerining (fruerining).
8				
9	Rulo	) Doc	umo	nts subject to electronic filing
10				
10	Rules 3 and 4 identify the documents that must or may be filed electronically in the Supreme Court. Except			
12	as provided in this rule, no document other than those identified in rules 3 and 4 may be filed electronically in the Supreme Court. In certain circumstances, including but not limited to natural disasters, public health			
12		-		l other situations substantially affecting the court's operations, the Supreme Court may
13	-			Executive Officer of the Supreme Court to accept or require electronic filing of any
15				or to modify the requirements of rule 5 regarding the filing of paper copies. If the court so
16				must promptly make reasonable efforts to provide adequate notice to affected parties and
17				g identifying the type of documents that may or must be electronically filed and the duration
18				electronic procedures.
19	01 010	•p u		
20				
21	Rule 3	3. Mar	ndato	ory electronic filing
22				
23	<b>(a)</b>	Docun	nent	s that attorneys must file electronically
24				California Rules of Court, rule 8.71, effective September 1, 2017, unless the court grants a
25				an excuse under rule 6, all attorneys representing a party in a matter before the court must
26	1	file the	e doc	suments listed in this subdivision electronically through the court's EFS.
27				
28		(1)	Docu	ments in proceedings under rules 8.495-8.498, 8.500-8.508, 9.13, and 9.60
29		1	All d	ocuments filed before the court issues its decision to grant or deny review, including:
30				
31		(	(A)	Petitions for review; answers, replies;
32				
33		(	(B)	Applications to permit the filing of a petition, answer, reply, or attachment that exceeds the
34				length limits set by California Rules of Court, rule 8.504(d);
35				
36		(	(C)	Applications to extend the time to file an answer or reply;
37				
38		(	(D)	Motions for relief from default for failure to timely file a petition, answer, or reply;
39				
40		(	(E)	All other applications and motions in these proceedings filed before the court issues its
41				decision to grant or deny review; and
42			( <b>T</b> )	
43		(	(F)	Any correspondence filed in connection with the documents in $(A) - (E)$ .
44				
45		(	(G)	Amicus curiae letters under California Rules of Court, rule 8.500(g) and requests for
46 47				depublication and related documents under California Rules of Court, rule 8.1125. may be
47 19				filed electronically on a voluntary basis. (See Rule 4.)
48				

1	(2	) Doc	uments in proceedings under rules 8.380-8.385
2		·	locuments filed before the court issues an order to show cause or its ruling on the petition,
3			ıding:
4			
5		(A)	Petitions for writ of habeas corpus; informal responses, replies;
6			
7		(B)	Applications to permit the filing of a petition, informal response, reply, or attachment that
8			exceeds the length limits set by California Rules of Court, rule 8.204(c);
9			
10		(C)	Applications to extend the time to file an informal response or reply;
11			
12		(D)	Motions for relief from default for failure to timely file an informal response, or reply;
13			
14		(E)	All other applications and motions in these proceedings filed before the court issues an
15		(—)	order to show cause or its ruling on the petition; and
16			or and to show our and the her position, and
17		(F)	Any correspondence filed in connection with the documents in $(A) - (E)$ .
18		(1)	(1)  (2)
10	(3)	Doc	uments in proceedings under rules 8.485-8.486, and 9.13
20	(3)		documents filed before the court issues an alternative writ or its ruling on the petition,
20 21			Iding:
21		men	luing.
22		(A)	Petitions; preliminary responses, replies, and accusations against an attorney;
23 24		(Л)	remons, premimary responses, repries, and accusations against an attorney,
24		(B)	Applications to permit the filing of a petition, preliminary response, reply, or attachment
23 26		(D)	that exceeds the length limits set by California Rules of Court, rule 8.204(c);
20 27			that exceeds the length mints set by Camorina Rules of Court, rule 8.204(c),
28		(C)	Applications to extend the time to file a preliminary response or reply;
28 29		(C)	Applications to extend the time to file a premimary response of repry,
30		(D)	Motions for relief from default for failure to timely file a preliminary response, reply, or
31		(D)	accusation against an attorney;
32			accusation against an attorney,
33		(E)	All other applications and motions in these proceedings filed before the court issues an
33 34		(L)	alternative writ or its ruling on the petition; and
35			attendative with of its running on the petition, and
36		(F)	Any correspondence filed in connection with the documents in $(A) - (E)$ .
30 37		(1)	Any correspondence fined in connection with the documents in $(A) = (E)$ .
38			
	(4)	Daa	un outs in matterns anising from a indoment of death
39 40	(4)		uments in matters arising from a judgment of death
40		All C	locuments filed in these matters. For purposes of this subdivision:
41		$(\Lambda)$	Matters pricing from a judgment of death includes
42		(A)	Matters arising from a judgment of death include:
43			(i) Automotio appeals under California Dulas of Court1 9 (00.9 (42)
44 45			(i) Automatic appeals under California Rules of Court, rules 8.600-8.642;
45			
46			(ii) Habeas corpus proceedings in the court under California Rules of Court, rules 8.380-
47			8.388 that involve a challenge to the validity of the petitioner's death judgment,

1				including proceedings before any referee appointed by the court to conduct a hearing
2 3				following the court's issuance of an order to show cause; and;
4 5 6 7				<ul> <li>(ii) Other original writ proceedings in the court under California Rules of Court, rules 8.485-8.493 that relate to an automatic appeal or a habeas corpus proceeding challenging the validity of the death judgment, including proceedings on petitions for a writ of mandate under Penal Code section 1405, subdivision (k).</li> </ul>
8 9			(B)	Matters arising from a judgment of death do not include:
10 11 12 13				(i) Habeas corpus proceedings on petitions challenging only a capital inmate's conditions of confinement; and
13 14 15 16 17 18 19				<ul> <li>Proceedings under California Rules of Court, rules 8.500-8.552 that relate to an automatic appeal or a habeas corpus proceeding challenging the validity of the death judgment, including petitions for review from lower court decisions regarding Penal Code section 1054.9 motions. These proceedings are governed by subdivision (a)(1) of this rule.</li> </ul>
19 20 21 22 23			(C)	A superior court judge who is appointed by the court as a referee in a proceeding under (A)(ii) is not considered a trial court for purposes of exemption from mandatory e-filing under California Rules of Court, rule 8.71(c).
24 25		(3)		r documents on order of the court other document on order of the court.
26 27 28 29 30 31	(b)	Elec	tronic	<b>n to new and pending cases</b> filing of the documents listed in (a) is mandatory as of September 1, 2017, including filed in cases commenced before that date.
31 32 33	Rule	e 4. Vo	olunta	ry electronic filing
34 35 36	(a)			s or entities exempt from mandatory electronic filing California Rules of Court, rule 8.71(b) and (c), electronic filing is voluntary for:
37 38		(1)	Self-	represented litigants; and
39 40		(2)	Trial	courts.
41 42 43 44 45 46 47	(b)	Amic relate	cus cui	riae letters and requests for depublication iae letters under California Rules of Court, rule 8.500(g) and requests for depublication and uments under California Rules of Court, rule 8.1125 may be filed electronically on a asis.

	P				
(a)		Documents in proceedings under rules 8.380-8.385, 8.485-8.486, 8.495-8.498, 8.500-8.508, 9.13, and 9.60 Unless otherwise ordered by the court:			
	(1)	For each electronically filed document in these proceedings, the filer must also submit to the court one unbound paper copy of the document.			
	(2)	The paper copy must be mailed, delivered to a common carrier, or delivered to the court within two court days after the document is filed electronically with the court. If the filing requests an immediate stay, the paper copy must be delivered to court by the close of business the next court day after the document is filed electronically.			
( <b>b</b> )		<b>Documents in matters arising from a judgment of death</b> Unless otherwise ordered by the court:			
	(1)	For each electronically filed document in these matters, the filer must also submit to the court one unbound paper copy of the document.			
	(2)	The paper copy must be mailed, delivered to a common carrier, or delivered to the court within two court days after the document is filed electronically with the court.			
Rule	e 6. Ex	xcuse from electronic filing			
(a)	Mot	ion requesting excuse			
	A party wanting to be excused from the requirement to file a document electronically must file a motion in the court requesting to be excused. The motion must comply with California Rules of Court, rule 8.54 and must specify whether the party is requesting to be excused from electronically filing all documents or only a particular document or documents.				
(b)	<b>Grounds for excuse</b> Pursuant to California Rules of Court, rule 8.71(d), the court will grant an excuse on a satisfactory showing that:				
	(1)	The party will suffer undue hardship if required to file electronically;			
	(2)	The party will suffer significant prejudice if required to file electronically; or			
	(3)	It is not feasible for the party to convert a particular document to electronic form by scanning, imaging, or another means.			

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1	Rule	e 7. Registration of electronic filers
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3	<b>(a)</b>	Obligation to register
4		Unless the court excuses the filer from this obligation under rule 6, every filer who is required or
5		voluntarily chooses to file a document electronically under these rules must register as a TrueFiling
6		user and obtain a username and password for access to TrueFiling. Registration with and access to the
7		EFS is through the TrueFiling website at https://www.truefiling.com.
8		
9	<b>(b</b> )	Registered users' responsibilities
10		A registered TrueFiling user is responsible for all documents filed under the user's registered username
11		and password. The registered user must also comply with the requirements of California Rules of
12		Court, rule 8.32 regarding the duty to provide address and other contact information, and notice of any
13		changes.
14		
15		
16	Rule	e 8. Signatures
17	Use	of a registered TrueFiling user's username and password to electronically file a document is the
18	equi	valent of placing the registered user's electronic signature on the document.
19	1	
20		
21	Rule	e 9. Service
22		
23	(a)	Electronic service
24	()	In addition to the ways identified in California Rules of Court, rule 8.78 that a recipient may agree to
25		accept electronic service, a recipient is deemed to have agreed to electronic service in a matter before
26	this	court if the recipient agreed to electronic service in the same matter in the Court of Appeal.
27	ting	court in the recipionit agreed to cloculome service in the same matter in the court of ripped.
28	<b>(b)</b>	Service by the court
20 29	(0)	Documents prepared by the court will be served on EFS users through the EFS or by electronic
30		notification.
31		notification.
32	(c)	Service of paper copies
32 33	(0)	When service of a document is required to be made on a person or entity that has not consented to
33 34		
		electronic service, the server must comply with California Rules of Court, rule 8.25 regarding service
35		of paper copies.
36		
37	пі	
38	Kule	e 10. Format and size of electronically filed documents
39	$\left( \right)$	
40	<b>(a)</b>	Format
41		
42		(1) <i>Text searchable format</i>
43		All documents filed electronically must be in text-searchable PDF (portable document format),
44		or other searchable format approved by the court, while maintaining original document
45		formatting. If an electronic filer must file a document the filer possesses only in paper format, the
46		filer must convert the document to an electronic document that complies with this rule by
47		scanning or other means. It is the filer's responsibility to ensure that any document filed is
48		complete and readable. Except as otherwise specified in this rule, electronically filed documents

must comply with the content and form requirements of the California Rules of Court applicable to the particular document, with the exception of those provisions dealing exclusively with requirements for paper documents.

(2) *Pagination* 

The page numbering of document filed electronically must comply with California Rules of Court, rule 8.74(b)(3).

(3) Electronic Bookmarks

Each document must include in the bookmarks panel of the electronic document a descriptive link (hereafter referred to as an electronic bookmark), to each heading, subheading and to the first page of any component of the document, including any table of contents, table of authorities, petition, verification, points and authorities, declaration, certificate of word count, certificate of interested entities or persons, proof of service, tab, exhibit, or attachment. Each electronic bookmark to a tab, exhibit, or attachment must include the letter or number of the tab, exhibit, or attachment and a description of the tab, exhibit, or attachment.

18 (b) Size

- (1) An electronic filing may not be larger than 25 megabytes. This rule does not change the length limitations established by the California Rules of Court for petitions, answers, replies, briefs or any other document filed in the court.
- (2) If a document exceeds the size limitation in (1), a party must submit the document in multiple files.
  - (A) These files must be paginated consecutively across all files in the document, including the cover pages required by (B).
  - (B) Each file must have a cover page that includes the following information:
    - (i) The total number of files constituting document;
    - (ii) The number of this file within the document;
    - (iii) The total number of pages in the document; and
    - (iv) The page numbers of the document contained in this file.
  - (C) The cover pages required by (B) must be included in the paper copies of the document submitted to the court under rule 5.

1	Rule 11. Privacy Protection					
2	(-)	D				
3	<b>(a)</b>		onal Identifiers			
4 5			tronic filers must comply with California Rules of Court, rule 1.201 regarding exclusion or ction of personal identifiers from all documents filed with the court. Neither TrueFiling nor the			
5 6			k of the Court has any responsibility to review documents for compliance with these requirements.			
7		CIEII	to the court has any responsibility to review documents for compliance with these requirements.			
8	<b>(b</b> )	Seale	ed and Confidential Records			
9	(~)		tronic filers must comply with California Rules of Court, rules 8.45-8.47 regarding sealed and			
10			idential records, with the exception of those requirments exclusively applicable to paper filings.			
11						
12						
13	Rule	12. F	lees			
14						
15	<b>(a)</b>	Colle	ection of filing fees			
16		For electronic filings, TrueFiling is designated as the court's agent for collection of filing fees required				
17		by la	w and any associated credit card or bank charges or convenience fees.			
18						
19	<b>(b</b> )	Vendor fees				
20		Pursuant to California Rules of Court, rule 8.73 and TrueFiling's contract with the court, in addition				
21		the filing fees required by law, TrueFiling will assess fees for each electronic filing in accordance				
22		the schedule posted on the TrueFiling Web site, as approved by the court. These fees will be				
23		const	idered recoverable costs under rule 8.278(d)(1)(D).			
24						
25	(c)		nption from vendor fees			
26		The f	following are exempt from the fees charged for electronic filing under (b):			
27						
28		(1)	Parties with fee waivers			
29			A party who has been granted a fee waiver by the court who chooses to file documents			
30			electronically.			
31		$\langle \mathbf{a} \rangle$				
32		(2)	Government officers and entities			
33			The persons and entities identified in Government Code section 6103.			
34 25						
35 36	Dulo	ula 12 Taabuiaal Failura of Flootnania Filing System				
30 37	Kult	Rule 13. Technical Failure of Electronic Filing System				
38	The	court i	s not responsible for malfunctions or errors occurring in the electronic transmission or receipt of			
39		electronically filed documents. The initial point of contact for anyone experiencing difficulty with TrueFiling				
40		is the toll-free telephone number posted on the TrueFiling Web site. California Rules of Court, rule 8.77,				
41			a filer fails to meet a filing deadline imposed by court order, rule, or statute because of a failure at			
42	-	any point in the electronic transmission and receipt of a document. A motion under California Rules of				
43		Court, rule 8.77(d) to accept the document as timely filed must comply with rule 8.54.				