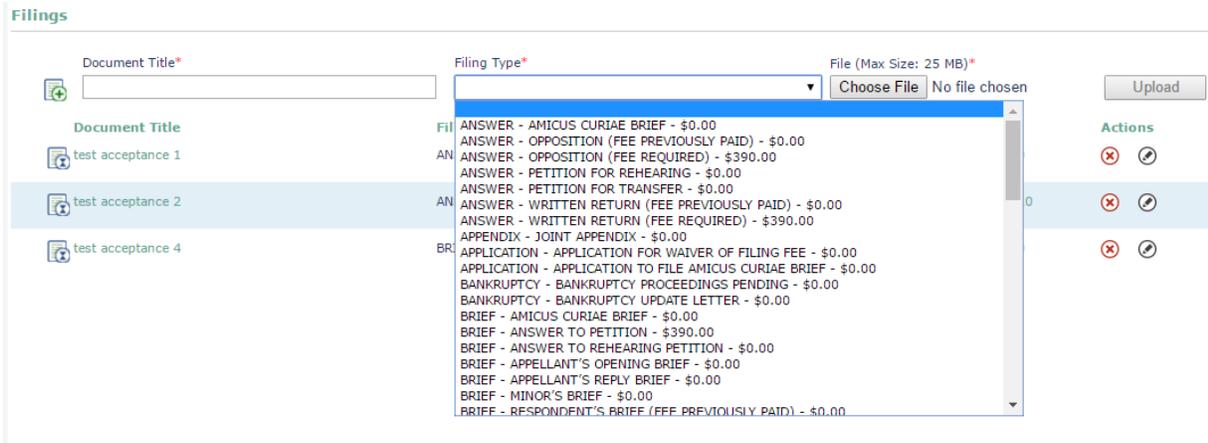


eFiling 4th District Court of Appeal
FAQ's
revised July 2020

TrueFiling Categories and Naming Convention for Files:

How important is it to pick the right category in TrueFiling and what is the Court's preference for the naming of files?

TrueFiling is set up so that a document name is automatically attached at the time of filing based on information input by the filer (see screen shot, below). Identifying the **Document Title** will control how the document appears in the filer's account, how it is labeled for service and how it appears in court e-notifications. Identification of the **Filing Type** in the dropdown box will determine the document name that is attached by TrueFiling and, as such, is very important; having an improperly labeled filing type can be a source of confusion and frustration for the clerk's office and others at the court.



Bottom line: The name that you attach to a particular document is of no moment, but proper selection of the **Document Title** is presumably important for the filer's purposes and correct identification of the **Filing Type** is critical from the Court's perspective.

Service:

Do I have to use ImageSoft as my process server?

No, the Fourth District does not require the use of ImageSoft as a processor server. Parties may include their own proof of service as the last page of their filing as they did before when filing through the Court's website.

Do I still have to serve the superior court with a paper copy of an appellate brief?

Yes. The Court's mandatory electronic filing is not applicable to service on the trial courts.

Fees:

Should filing fees be submitted to TrueFiling?

Yes. If a statutory filing is due and payment is not submitted through TrueFiling, you will receive a call from the Clerk's Office requesting your credit card information. It is the Court's preference that you submit any statutory fees (other than the filing fee submitted to the Superior Court for a civil notice of appeal) via TrueFiling.

If I submit a statutory filing fee and my document is rejected, do I have to submit another fee?

Yes. Each credit card transaction is associated when a particular filing ID number within ImageSoft's system. Thus, if a filing is rejected, the credit card fee has nothing to associate with and is unable to migrate to our case management system. When a filing that is accompanied with a statutory fee is rejected, the deputy clerk will indicate in the rejection memo that the corrected filing must include a statutory fee. The Clerk's Office then requests a refund of the fee associated with the rejected filing on behalf of the party via ImageSoft's accounting department.

If my client was granted a fee waiver in the Court of Appeal, does that cover TrueFiling convenience fees?

Yes. ImageSoft has agreed to waive their convenience fees if the Court has granted a fee waiver application for any party. This does not apply to fees associated with using ImageSoft as your process server however.

Formatting:

What are the size limitations for appendixes?

In the paper world, the volumes were limited to 300 pages pursuant to California Rules of Court, 8.124(d)(1). The original purpose of this rule was to address the lack of long-term integrity for bound documents exceeding 300 pages. Pursuant to the electronic filing requirements of the Fourth District (CRC 8.74(a)(5)), the size limitation with regard to individual electronic documents is 25MB.

In cases where there are multiple volumes of appendix, do subsequent volumes need to have their own index?

No. Pursuant to the electronic filing requirements of the Fourth District (CRC, Rule 8.74(a)(5)), each volume *does not need to* include a chronological and alphabetical index. The first volume

must include a master chronological and alphabetical index stating the contents for all files. The remaining files must include a cover page, indicating the volume number and pages contained with the volume as well as the total number of volumes. Each volume must be paginated sequentially, i.e., if volume 1 ends on page 299, the cover page of volume 2 should be page 300. Also, any indexes themselves should be included as part of the sequential pagination. Slip sheets are not necessary because of bookmarks. If slip sheets are used, they would need to be included in the sequential pagination.

Will the Court reject briefs that are not bookmarked?

Yes. Pursuant to the electronic formatting requirements of the Fourth District (CRC, Rule 8.74(a)(3)), a brief *must* include bookmarks. Hyperlinks are not required but are encouraged.

Do Motions still need a table of contents and table authorities?

Yes, the formatting requirements for motions has not changed under mandatory electronic filing.

Should you file components of motion separately or combine?

The components of a motion should ideally be filed as one complete pdf. file. The Clerk's Office only applies an electronic file stamp to the face page of the motion and does not separately file any of the other components. It is more work for the Clerk's Office if the components of a motion are uploaded as separate files. *The exceptions to this are motions to augment the record with documents attached or requests for judicial notice with attached documents. The Court's preference is that if a motion or request for judicial notice contains documents the party seeks to become part of the appellate record, the party should submit those documents as a separate .pdf file at the same time as the motion, application or request. These document must comply with the formatting requirements set forth in electronic formatting requirements of the Fourth District (CRC, Rule 8.74)*

Does the Fourth District accept sealed filings electronically?

Yes. The Fourth District is accepting sealed electronic filings.

Requests from the Court:

- When filing a request under California Rules of Court, Rule 8.200(c), the Court requests that you submit the application to file an amicus curiae brief as a separate pdf. file from the amicus brief itself. This is very helpful from a processing standpoint.
- When filing multiple volumes of appendixes or exhibits, label the cover pages of each volume with volume 1 of _. In addition, the cover of each volume must state the page numbers included within that volume. This helps to ensure the Clerk's Office has received all of the volumes you intend to file.
- If you create your own proof of service, please include it as the last page of your filing rather than a separate pdf. file.

- Please file your Civil Case Information Statement after a docket number has been assigned to your appeal.
- For all TrueFiling questions, please contact www.truefiling.com or (855) 959-8868 for customer support.