

## California Courts of Appeal FAQs

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### **Q: For technical problems with the TrueFiling system, who do I contact?**

A: For all TrueFiling questions please contact the help desk for TrueFiling by phone at (855) 959-8868 or by e-mail at [support@truefiling.com](mailto:support@truefiling.com).

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### **Formatting**

#### **Q: Do I have to bookmark exhibits?**

A: Yes. See California Rules of Court, rule 8.74, and formatting guidelines for inserting bookmarks.

- [Tips on Adobe PDF Bookmark Settings](#)

#### **Q: Will the Court reject briefs or motions that are not bookmarked?**

A: Yes. Pursuant to the electronic formatting requirements of California Rules of Court, rule 8.74(a)(3), a brief or motion must include bookmarks. Hyperlinks are not required but are encouraged.

#### **Q: Do I need an index for each volume of exhibits or appendices?**

A: No. See rule 8.74, California Rules of Court, and formatting guidelines for exhibits or appendices.

- [Appendix](#)
- [Sample Appendix](#)
- [Exhibits](#)
- [Sample Writ Exhibit](#)

#### **Q: What are the size limitations for appendices?**

A: The file size for electronic documents is 25MB. (See rule 8.74, Cal. Rules of Court.)

#### **Q: Do I need to include a bookmark for the Table of Contents?**

A: Yes. California Rules of Court, rule 8.74(a)(3), provides that each electronic document must include an electronic bookmark to each heading, subheading, and the first page of any component of the document, including any table of contents, table of authorities, petition, verification, memorandum, declaration, certificate of work count, certificate of interested entities or persons, proof of service, exhibit, or attachment. Each electronic bookmark must briefly describe the item to which it is linked.

#### **Q: Does the first page (cover page) of every document have to start with the number 1?**

A: Yes. The first page or cover page of all documents must be page 1 and numbered consecutively thereafter throughout the entire document. The cover page number may be suppressed and need not appear on the cover page. If a document consists of multiple segments, files, or volumes, the first page or cover of the first segment, file, or volume is page 1 and thereafter all pages must be paginated consecutively. (California Rules of Court, rule 8.74(a)(2).)

#### **Q: How do I paginate multiple volumes of exhibits or appendices?**

A: See formatting guidelines for exhibits or appendices.

- [Appendix](#)
- [Sample Appendix](#)

- [Exhibits](#)
- [Sample Writ Exhibit](#)

**Q: Do Motions still need a table of contents and table authorities?**

**A:** Motions do not require a table of contents or authorities but must be bookmarked. (See California Rules of Court, rules 8.54 and 8.74.)

**Operational/Procedural**

**Q: For procedural questions about filings, who do I contact?**

**A:** You should contact the appropriate Appellate District Court Clerk's Office. Contact information is displayed on each Appellate District Court's e-filing web page.

**Q: What fees are required?**

**A:** Filing fees are governed by Government Code sections 68926 and 68927 along with rule 8.25 of the California Rules of Court.

Appellants/Petitioners in most civil proceedings are required to pay a one-time filing fee (\$775) when the notice of appeal is submitted to the Superior Court or when a new petition is uploaded into the TrueFiling system for filing in the Court of Appeal.

Respondents or any party other than an appellant in most civil proceedings are required to pay a one-time filing fee (\$390) with their first filing as defined in rule 8.25 of the California Rules of Court. Most often this fee is paid with submission of the respondent's brief or preliminary opposition in a writ petition proceeding.

Fee waivers are provided for eligible parties under California Rules of Court rule 8.26. Form FW-001 should be filed by the appellant/petitioner with the notice of appeal or petition for review, and by the respondent with the respondent's brief. Please note that a fee waiver application must be submitted for consideration with the Court of Appeal even if an application has previously been granted by the Superior Court.

Please contact the Appellate District Court Clerk's Office if you have questions regarding the court's fees. Contact information is displayed on each Appellate District Court's e-filing web page.

Convenience fees are charged by TrueFiling. If filing fees have been waived, TrueFiling convenience fees will not be charged. For questions regarding convenience fees, please contact the help desk for TrueFiling by phone at (855) 959-8868 or by e-mail at support@truefiling.com.

**Q: Should I file my petition for writ of supersedeas as a new original proceeding in the TrueFiling system or use the existing appellate court case number when filing?**

**A:** If there is an existing appellate court case number, petitions for writs of supersedeas must be filed in the existing appellate court case number. However, if the notice of appeal and petition for writ of supersedeas are filed concurrently, the petition for writ of supersedeas will need to be submitted as a new case in the TrueFiling system because the notice of appeal is filed in the trial court, and an appeal may not yet exist in the appellate court.

**Q: Does the Court accept sealed filings electronically?**

**A:** Yes. Sealed electronic filings are accepted. Electronic records that are sealed or confidential must be filed separately from publicly filed records and must be clearly marked as sealed or confidential on the cover. (See California Rules of Court, rules 8.74(c)(7) and 8.45(c).) The appropriate sealed or confidential box must also be checked in the TrueFiling system when the document is uploaded for filing.

**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 the volumes you intended 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.

**TrueFiling**

**Q: Do I have to electronically serve all documents using the TrueFiling system?**

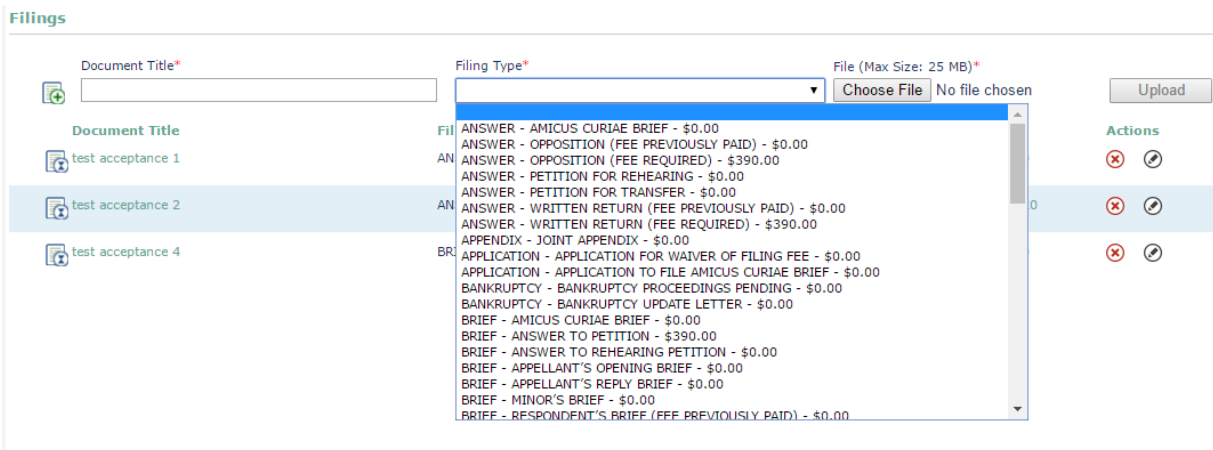
**A:** No, but you must have a proof of service. You can submit your proof of service as a separate document in TrueFiling or include it as the last page(s) of your filed document. While you are not required to e-serve all documents using the TrueFiling system, you must electronically file all documents with the court unless an exemption applies. (See California Rules of Court, rule 8.71.)

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

**A:** 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 may cause an impediment to the proper labeling of your document by the court.



**Q: Do I have to use ImageSoft as my process server?**

**A:** No, you are not required to use ImageSoft as the processor server. Parties may include their own proof of service as the last page of their filing or as a separate document in TrueFiling.

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

**A:** Yes. The appellate courts' mandatory electronic filing is not applicable to service on the trial courts.

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

**A:** Yes. If a fee is submitted with a rejected filing, the fee is automatically refunded. The fee will need to be resubmitted with the corrected filing.

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

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