

Rule 2 - Electronic Filing
LOCAL RULES OF THE COURT OF APPEAL
SIXTH APPELLATE DISTRICT

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Effective January 19, 2016

[Amended effective September 20, 2021]

Rule 2. Electronic Filing.

Pursuant to California Rules of Court, rule 8.72, the Court of Appeal for the Sixth Appellate District (court) adopts the following requirements for electronic filing in this district.

a. Registration.

1. **Obligation to Register.** The court's electronic filing system (EFS) is operated by ImageSoft, Inc. (ImageSoft), and may be accessed via the TrueFiling portal (TrueFiling). In order to access TrueFiling, each attorney of record in any proceeding pending in this court is obligated to become an EFS user and obtain a username and password. Self-represented litigants must register if they wish to file electronically.

Attorneys and self-represented litigants may register at

<https://tf3.truefiling.com/register>.

2. **Obligation to Keep Account Information Current.** Registered users are required to keep their e-mail addresses current and must update their e-mail addresses online via the TrueFiling web site. Updating TrueFiling does not relieve the user of the notice of change requirements in California Rules of Court, rule 8.32, subdivision (b).

- b. Format.** The formatting requirements enumerated in California Rules of Court, rule 8.74 (a)-(d) are incorporated herein by reference and shall apply to all documents electronically filed in the Sixth District. For more

information and examples, you can refer to [[Pending Link to the COA FAQs document](#)].

c. Record on Appeal and Writ Proceedings.

1. *Appendix.* Parties must submit any appendix filed pursuant to California Rules of Court, rule 8.124 in electronic format. Each part of the appendix shall comply with the format, pagination and bookmark requirements enumerated in subparagraph (b) of this rule. If submitted in multiple parts, the cover of each part of the record submitted in any appendix or exhibit volume shall clearly state the volume and page numbers included within that part, and include an index of contents.
2. *Administrative Record.* In addition to any administrative record provided by the trial court pursuant to California Rules of Court, rule 8.123, the party or parties seeking review of an administrative determination must submit a copy of the administrative record as an electronic text-searchable PDF. An administrative record may be delivered to the court on CD, DVD, or flash drive.
3. *Reporter's Transcript.* Any party who orders a reporter's transcript of proceedings pursuant to California Rules of Court, rule 8.130, which is provided in paper format, must also request a copy of the transcript in electronic format, as provided in Code of Civil Procedure section 271, and must submit an electronic copy to the court.
4. *Writ Proceedings.* All documents and exhibits submitted in writ proceedings must be submitted in electronic format and must comply with the requirements enumerated in subparagraph (b) of this rule.
5. *Transmissions by the Superior Court.* The court authorizes and encourages the superior courts within the Sixth Appellate District to

engage in the electronic service and electronic filing of documents, including, but not limited to, the clerk's transcript and reporter's transcripts. If a superior court transmits an electronic document to the court, it shall also make the electronic document available to the parties. If a superior court transmits electronic documents to the court in lieu of paper, the court will accept electronic documents complying with the California Rules of Court and this local rule.

- d. **Electronic Version Deemed Original Record.** The court may scan any paper document into an electronic format, in which case the electronic document will be deemed the original for purposes of the court record. The original electronic record will be maintained by the court in compliance with all statutory requirements, and the court may elect to destroy the paper documents.
- e. **Filing Deadlines.** Consistent with California Rules of Court, rules 8.71(f)(2) and 8.77, filing documents electronically does not alter any filing deadlines. A document that is received electronically by the court after 11:59 p.m. is deemed to have been received on the next court day. In order to be timely filed on the day they are due, all electronic transmissions of documents must be completed prior to midnight. Although EFS permits parties to submit documents electronically 24 hours a day, users should be aware that telephone or online assistance may not be available outside of normal court business hours.
- f. **Motion to Accept Filing as Timely Following TrueFiling Technical Failure.** If a filer fails to meet a filing deadline imposed by court order, rule, or law because of a failure of the EFS, the filer may file a paper or electronic document as soon thereafter as practicable and accompany the

filing with a motion to accept the document as timely filed pursuant to California Rules of Court, rule 8.77(d).

- g. **Service.** An attorney's registration with TrueFiling to participate in the EFS constitutes consent to service or delivery of all documents by any other party in a case through the system. (Cal. Rules of Court, rule 8.78.) Orders or other documents generated by the court will be served only through the EFS or by e-mailed notification. Only those exempted from the EFS pursuant to subparagraph (j) will receive manual service or notification by other means.
- h. **Signatures.** The signature requirements enumerated in California Rules of Court, rule 8.75 are incorporated herein by reference and shall apply to all documents electronically filed in the Sixth District.
- i. **Filing Fees.** ImageSoft is a private vendor under contract with the court. ImageSoft will assess EFS fees for each filing in accordance with the schedule posted on the TrueFiling web site, as approved by the court. EFS fees will be considered recoverable costs under California Rules of Court, rule 8.278(d)(1)(D). ImageSoft is designated as the court's agent for collection of court-imposed fees where required for any filing, and any associated credit card or bank charges or convenience fees. (Cal. Rules of Court, rule 8.76; Gov. Code, § 6159.)

If a party with a fee waiver chooses to file documents electronically, that party is exempt from the fees and costs associated with electronic filing. The persons and entities identified in Government Code section 6103 are also exempt from the fees and costs associated with the EFS.
- j. **Exemptions.**

1. Self-represented parties are exempt from mandatory electronic filing. Self-represented parties who opt to register for electronic filing must comply with this rule and the requirements of TrueFiling.
 2. When it is not feasible for a party to convert a document to electronic form by scanning, imaging, or other means, the document may be filed in paper form, with a declaration setting forth the reasons why electronic filing was not feasible. The paper documents shall be filed and served upon the parties in accordance with all statutory requirements and the California Rules of Court applicable to paper documents.
 3. If electronic filing and/or service causes undue hardship or significant prejudice to any party, the party may file a motion for an exemption from the requirements of this rule. (See Cal. Rules of Court, rule 8.54(a)(1) & (2).) Pursuant to California Rules of Court, rule 8.71(d), the court will grant relief from some or all of these requirements on a satisfactory showing of undue hardship or significant prejudice.
- k. **Rejection of Electronic Filing for Noncompliance.** The court will reject an electronic filing if it does not comply with the requirements of this rule pursuant California Rules of Court, rule 8.77(b).
- l. **Sanctions for Noncompliance.** Failure of counsel to timely register, and failure of any registered user to comply with EFS filing requirements, unless exempted, may be subject to sanctions imposed by the court.
- m. **Posting and Publication.** The Clerk of the Court is directed to post a copy of this rule on the court's web site pursuant to California Rules of Court, rule 8.72(a), and to submit a copy to the Reporter of Decisions for publication pursuant to California Rules of Court, rule 10.1030(a).

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