

San Francisco Superior Court – All Cases

**Special Instructions**

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## **1.0 Preparing Your Documents**

### **1.1 Document Titles**

When adding a title to your document, be sure to include: (1) the name of the party filing the document, (2) the nature of the document, (3) party against whom relief, if any, is sought, and (4) nature of relief sought; for example, “Defendant ABC Corporation’s Request for Dismissal of Plaintiff John Smith’s Complaint.”

### **1.2 Caption Pages & Slip Sheets (for exhibits & other documents)**

Each document that is uploaded separately onto File & ServeXpress™ (even if uploaded in the same transaction) must include a caption page as a cover sheet. The only exception is Judicial Council forms where the caption information is included at the top of the first page of the form.

The caption page should include a very specific document title (e.g., “Declaration of Joe Smith in Support of Motion for Summary Judgment”).

The caption page must also comply with all applicable codes and rules, including California Rules of Court, Rule 2.111. Specifically, subsections (1) and (2) require that each caption page contain a blank space in the upper right corner for use by the court clerk. The blank space should be the first 2 inches of space between lines 1 and 7 to the right of the center of the page. In addition, the title of the court should begin on line 8, which should be at or below 3 1/3 inches from the top of the page. These rules ensure each caption page will have enough space for the court’s file-stamp.

If smaller documents, such as exhibits, are grouped together and uploaded as one document onto File & ServeXpress™, there must be a caption page as a cover sheet and the caption page should include a very specific document title (e.g., “Exhibits A-E to Declaration of Joe Smith in Support of Motion for Summary Judgment”). Slip sheets should be used between each document (e.g., a page where the only words printed are “Exhibit A”, a page where the only words printed are “Exhibit B” and so on). Blank pages are not allowed as slip sheets.

If a large document is broken down, each portion of the document that is uploaded separately onto File & ServeXpress™ must include a caption page as a cover sheet. The caption page should include a very specific document title (e.g., “Exhibit A to Declaration of Joe Smith in Support of Motion for Summary Judgment – Part 1 of 4”). Also, when breaking down large documents into smaller portions, File & ServeXpress™ recommends that each portion contain 100 pages or less with a maximum file size of 5 MB. To produce a smaller file size, File & ServeXpress™ recommends adjusting your scanner settings to scan in black & white (instead of color or grayscale) at 300 dpi (which is the minimum dpi permitted by the court).

## File & ServeXpress™

The following types of documents should not be broken down into smaller portions but should be uploaded as one document regardless of size: complaints, cross-complaints, complaints in intervention and any amended version of those documents (such as an amended complaint). File & ServeXpress™ recommends the document contain 100 pages or less with a maximum file size of 5 MB. To produce a smaller file size for your document, File & ServeXpress™ recommends adjusting your scanner settings to scan in black & white (instead of color or grayscale) at 300 dpi (which is the minimum dpi permitted by the court).

Please see Section 2.3 below (“Exhibits”) for more information about submitting exhibits.

### 1.3 Scanning Requirements & Recommendations

The court requires documents to be scanned at 300 dpi or higher. Increasing the dpi will increase the file sizes for your documents. Therefore, File & ServeXpress™ recommends that you scan your documents at 300 dpi to meet the court’s minimum requirement and also scan in black & white (instead of color or grayscale) to produce smaller file sizes for your documents.

File & ServeXpress™ also recommends breaking down large documents into portions of 100 pages or less with a maximum file size of 5 MB, and then uploading each portion separately onto File & ServeXpress™. Please see Section 1.2 above (“Caption Pages & Slip Sheets”) for more information about submitting large documents that have been broken down.

### 1.4 Signatures

All e-filed and/or e-served documents requiring a signature under penalty of perjury (e.g., a declaration signed by a third-party) must be scanned and reflect the handwritten signature of the declarant to accomplish valid e-filing and e-service.

All other documents may be signed with a typographical signature that consists of “/s/” followed by the attorney’s name typed on the signature line. The court will reject your document if the signature line only contains the “/s/”. An example of a proper typographical signature is:

JONES SMITH & WILLIAMS

By: /s/ John A. Jones  
John A. Jones  
Attorney for Defendant  
ACME CORPORATION

For a typographical signature to be valid, the document must also contain the attorney's address, telephone number and state bar number (which are usually placed in the upper left corner of the caption page).

Upon request, the filing party shall provide, in advance of any hearing on the matter, the original of a document with a typographical signature or handwritten signature.

## **1.5 Proofs of Service**

You are still required to e-file proofs of service the same as you would normally do if you were filing the documents traditionally in paper.

For general civil, asbestos and complex litigation cases, proofs of service may be appended to the end of the applicable documents or they may be uploaded as separate documents. For probate trust and estate cases, proofs of service must be uploaded as separate documents, except where the proof of service is incorporated into a Judicial Council form.

A proof of service uploaded as a separate document must include a caption page as a cover sheet.

## **1.6 Documents Subject to E-Service**

For general civil, asbestos and complex litigation cases, all e-filed documents must be e-served. All other documents may be e-served or served traditionally in paper.

For probate trust and estate cases, documents may be e-served or served traditionally in paper.

## **1.7 Documents Excluded From E-Filing and/or E-Service Requirements**

The following documents must be filed and served traditionally in paper:

- Documents that initiate a case – such as initial complaints, petitions or other pleadings that open a new case; summons; and civil case cover sheet.
- All documents in sealed and restricted cases.

Note: If you are involved in a case that is ordered to be sealed or restricted after the case has become accessible on File & ServeXpress™, please call Client Support at (888) 529-7587 immediately to request all access to the case and documents in the case be disabled. You must provide a file-stamped copy of the signed order sealing or restricting the case before any action will be taken. After a case is ordered to be sealed or restricted, all subsequent documents must be filed and served traditionally in paper.

## File & ServeXpress™

The following documents must be filed traditionally in paper:

- Motions to set aside an order striking the complaint. (Note: If your motion is granted, please call Client Support at (888) 529-7587 to request removal of the words “Complaint Stricken” from the case name on File & ServeXpress™.)
- Fee waiver applications - please see Section 3.0 below (“Fee Waivers”) for more information.
- Applications for orders of examination.
- Bonds (in all cases except probate trust and estate cases) – please see Section 18.4 below (“Bonds”) for more information.
- Sealed documents - please see Section 6.0 below (“Sealed & Redacted Documents”) for more information.

For Probate and Estate cases:

- Inventories and Appraisals.
- Ex Parte Petition for Final Discharge and Order.
- Letters of Administration.
- Letters Testamentary.
- Original wills.
- Certified copies of Death Certificates with Affidavits pursuant to Probate Code 13100, et seq.
- Certified copies of Birth Certificates.
- Certified copy of Spousal Property order.
- Certified copy of Letters issued in estates administered outside San Francisco County.
- Confidential Documents.

In general civil, asbestos and complex litigation cases, a guardian ad litem application or a motion to seal the case may be filed traditionally in paper at the same time as the initial complaint or petition. Otherwise, these documents must be e-filed.

## **2.0 Preparing Your E-Filing and/or E-Service Transaction**

### **2.1 Document Titles**

The document title that you enter into the “Document Title” box on the “Documents” tab should be exactly the same as the document title on the caption of your document.

### **2.2 Run-On Documents Prohibited**

Do not upload “run-on” documents as one file. For example, do not upload a notice of motion, memorandum of points and authorities, declaration and proposed order all as one document. These documents can be e-filed in one transaction, but as four separate documents with the appropriate caption page.

### **2.3 Exhibits**

Exhibits may or may not be uploaded as separate documents, depending on the situation.

#### **2.3.1 Proposed Orders, Stipulations & Orders, Judgments and Verdicts with Exhibits**

To submit exhibits as part of a proposed order, stipulation & order, judgment or verdict, you must upload everything as one document onto File & ServeXpress™.

For example, if your stipulation & order includes Exhibits 1-3, then you must upload the stipulation & order along with all three exhibits as one document. The exhibits should not be uploaded as separate documents.

You must upload everything as one document regardless of the file size of the document. File & ServeXpress™ recommends adjusting your scanner settings to scan in black & white (instead of color or grayscale) at 300 dpi (which is the minimum dpi permitted by the court) to produce a smaller file size for your document.

When uploading everything as one document, you must include slip sheets to delineate the exhibits. Please see Section 1.2, above (“Caption Pages & Slip Sheets”) for more information.

The only exception to this procedure is when you are e-filing a proposed order with one or more exhibits that are not available in a Word format, such as an exhibit that is a court reporter’s transcript. For more information, please see Section 2.5 below (“Requirements for E-Filing Proposed Orders”).

#### **2.3.2 All Other Types of Documents with Exhibits**

To submit exhibits as part of any other type of document (such as a declaration, appendix or request for judicial notice), it is your choice whether or not to upload the exhibits as separate documents onto File & ServeXpress™.

You may:

- Upload everything as one document (for example, upload a declaration with exhibits as one document) – this option is preferred by the court for probate trust and estate cases;
- Upload each exhibit separately as one document;
- Upload several small exhibits that are grouped together as one document;  
or
- Break down a large exhibit into smaller portions and upload each portion as a separate document.

When one or more exhibits are appended to another document (such as a declaration) and everything is uploaded as one document, or when a group of exhibits is uploaded as one document, slip sheets should be used to delineate the exhibits (e.g., a page where the only words printed are “Exhibit A”, a page where the only words printed are “Exhibit B” and so on). Blank pages are not allowed as slip sheets.

Each exhibit, group of exhibits or portion of an exhibit that is uploaded as a separate document, must include a caption page as a cover sheet. The caption page should include a very specific document title (e.g., “Exhibit A to Declaration of Joe Smith in Support of Motion for Summary Judgment”). Please see Section 1.2 above (“Caption Pages & Slip Sheets”) for more information.

Also, for each exhibit, group of exhibits or portion of an exhibit that is uploaded as a separate document, File & ServeXpress™ recommends the document contain 100 pages or less with a maximum file size of 5 MB. To produce a smaller file size for your document, File & ServeXpress™ recommends adjusting your scanner settings to scan in black & white (instead of color or grayscale) at 300 dpi (which is the minimum dpi permitted by the court).

## 2.4 Linking Documents

You are required to use document linking when e-filing responses to previously e-filed documents. To use document linking, (1) click the “Edit Link” button which will appear on the “Documents” tab after you upload a document, (2) select the previously filed document by clicking on the checkbox next to its name, and (3) click the “Done” button at the top or bottom of the screen. Please note that linking does not “connect” one document to another on the court’s public website.

## **2.5 Requirements for E-Filing Proposed Orders**

Proposed orders should be submitted as standalone documents with a separate caption page as a cover sheet, unless the proposed order is incorporated into a Judicial Council form or a stipulation and proposed order are combined into one document.

If a stipulation and proposed order are combined into one document for e-filing, the document will be marked “Received Not Filed” to collect the fee. Unmarked courtesy copies of the stipulation and proposed order must be delivered to the appropriate department for review and processing. Your Transaction Receipt from File & ServeXpress, showing proof that the transaction was accepted, must be attached to the top of all courtesy copies for Probate cases. See Section 16 for Probate cases.

For general civil, asbestos and complex litigation cases, proposed orders must be e-filed in Word format so the documents can be edited more efficiently by the court.

For probate trust and estate cases, the court encourages parties to e-file proposed orders in Word format.

Proposed orders submitted for e-filing will be “accepted without docketing” (i.e., lodged, not filed), will not receive a file-stamp and will not be posted to the court’s public website.

If you need to e-file a proposed order that includes one or more exhibits which are not available in Word format, such as an exhibit that is a court reporter’s transcript, upload the proposed order in Word format as one document and the exhibit(s) in PDF as another document, all in the same transaction with caption pages on both documents. (The court will combine the order with the exhibit(s) into one document when the order is issued.)

Courtesy copies of proposed orders should be delivered to the appropriate department. Please see Section 8.0 below (“Courtesy Copies”) for more information.

## **2.6 Option to Display “All Active Participants”**

The default on the “Service” tab is to display “E-Service Only” parties. Do not select the option to display “All Active Participants” unless you intend to serve a party by U.S. Mail because that party is not available to be selected for e-service. If you select the “All

Active Participants” option, and you check the box next to a party that is designated as “U.S. Mail” in the “Method” column, File & ServeXpress™ will serve that party with your documents via U.S. mail, and will charge your firm additional costs to do so. For pricing, refer to the Optional Services Pricing sheet on File & ServeXpress™ in the Resource Center.

## 2.7 Courtesy Recipients

On the “Service” tab, the Party Type of "courtesy recipient" means the party listed as such is not officially a party to the case but is listed so they can be sent copies of the documents as appropriate. Parties with this designation can be grouped together by clicking on the column heading labeled “Party Type”.

## 2.8 Discovery (e-serve only, do not e-file)

Discovery documents should be submitted for e-service only and not for e-filing. When preparing a transaction that contains discovery documents, select the option to "Serve Only" (public or private) on the "Review & Submit" tab.

Discovery documents include (but are not limited to) interrogatory requests and responses, requests for production and responses, requests for admissions and responses, deposition notices, and other discovery-related documents pursuant to California Rule of Court 3.250.

If you submit discovery documents for e-filing, they will be rejected by the court and will not appear in the Case History on File & ServeXpress™.

## 2.9 Double-Check Your Documents Prior to Submitting for E-Filing

Before you submit your documents for e-filing, be sure to double-check them for errors. For each document, click the “PDF Format” link on the last screen before you hit the “Submit Transaction” button. After your document opens, confirm each item below:

- Your document displays properly (not upside-down, at a reduced size or illegible);
- Your document is signed (for a handwritten signature, be sure it shows up clearly);
- Your document contains the correct county, case name and case number in the caption;
- Any hearing information in the caption matches the information in the body of the document;
- You are consistent in the use of your party’s name within the document and as used in prior documents; and
- The correct documents are listed in your proof of service.

## 2.10 E-Filing & E-Service Deadlines

For all cases, the e-filing deadline is 11:59 pm Pacific Time. Any document submitted for e-filing after this time will be deemed filed the next court day if the document is accepted for filing.

For general civil, complex litigation, probate trust and estate cases, the e-service deadline is 4:00 pm Pacific Time. For asbestos cases, the e-service deadline is 5:00 pm Pacific Time.

## 3.0 Fee Waivers

Applications for initial and additional fee waivers should be filed traditionally in paper as “confidential” documents.

If you have another document to file that is subject to mandatory e-filing, you will not be permitted to file that document in paper at the same time the fee waiver application is filed. You must first file the fee waiver application in paper and then e-file the other document. If the other document requires a statutory filing fee, use the “Note To Clerk field” on the “Review & Submit” tab to alert the e-file clerk about the pending fee waiver application so that no fee will be assessed on your document.

If your fee waiver is granted and you are preparing a subsequent e-filing transaction, use the “Note To Clerk” field on the “Review & Submit” tab to alert the e-file clerk about the fee waiver order so that no statutory filing fees will be assessed on your documents. You should also call Client Support for File & ServeXpress™ at (888) 529-7587 to request a waiver of e-filing and e-service fees on all transactions in the case where the fee waiver was granted.

Fees for optional services will not be waived. Optional services available on File & ServeXpress™ include but are not limited to: uploading documents by fax; serving documents via US Mail or fax; sending documents via the Additional Recipients feature; ordering courtesy copies; running searches for cases or documents; purchasing documents; pulling reports; setting up Alerts; and opting to receive paper invoices. For more information, please refer to the Optional Services Pricing sheet on File & ServeXpress™ in the Resource Center.

If your fee waiver application is denied, you must pay all fees owed to the court by e-filing a cover letter or notice of payment in the case in which the application was denied. The cover letter/notice should specify the case name, case number, name of the party that is paying the fees and the amount of the fees. The Document Type of “Fee Waiver Denial Payment” must be selected for the cover letter/notice. When the eFile Unit accepts the cover letter/notice, the fees will be assessed on the filing firm through File & ServeXpress™, which will transfer the money to the court and invoice the firm. (This is the usual process when any type of fee is assessed by the court on an e-filing transaction.) Self-represented parties may pay fees using this method or pay at the civil filing counter in the Civic Center Courthouse (room 103).

## File & ServeXpress™

If you request a hearing to set aside an order denying a fee waiver application, and the order is not set aside at the hearing, you must pay all fees owed immediately at the civil filing counter in the Civic Center Courthouse (room 103).

A firm must submit a “notice of payment of waived fees” or other document (such as a cover letter) to the court through File & ServeXpress™ indicating the case name, case number, document type, name of the party paying the waived fees and the filing fee amount. The firm should use the Document Type “Payment for Waived Filing Fee”. If you are making payment for more than one waived filing fee you must submit a cover letter or notice of payment for each document you are submitting payment for. For example, if the filing fees were waived for a Petition and a Noticed Motion a cover letter or notice must be submitted for payment of the filing fee for the Petition and a separate cover letter or notice must be submitted for payment of the filing fee for the Noticed Motion.

You may also submit the same cover letter for each document. However, the letter must be uploaded again for each document you are making payment on and the letter must also list the payment information for each document.

Self-represented parties may pay waived fees using this method or may post them at the civil filing counter in the Civic Center Courthouse (room 103).

### 4.0 Defaults

Please enter your phone number in the “Note To Clerk” field on the “Review & Submit” tab when submitting documents related to entries of default or default judgments so the Default Unit will be able to reach you if they have questions. **4.1 Requests for Entry of Default**

All documents in your request for entry of default packet should be submitted in the same e-filing transaction or your documents may be rejected.

Your packet must include a proof of service of summons – either a file-stamped copy (if it was previously filed) or an unstamped copy (if it has not yet been filed).

You must deliver a courtesy copy of the packet to the Default Unit. Please see Section 8.0 below (“Courtesy Copies”) for more information regarding delivery to this location. Your Transaction Receipt from File & ServeXpress™ must be attached to the top of the courtesy copy packet.

File-stamped copies are not required for the courtesy copy packet except as noted above regarding the proof of service of summons.

Do not include an additional copy of the request for entry of default form (Judicial Council Form CIV-100) in your courtesy copy packet as a file-endorsed copy may not be returned to you. If the default is entered, you can obtain a file-stamped copy from the court’s public website, which you are responsible for serving on all parties.

## **4.2 Requests for Default Judgment**

All documents in your request for default judgment packet should be submitted in the same e-filing transaction or your documents may be rejected.

Your packet must include a file-stamped copy of the entered default (Judicial Council Form CIV-100) unless you are submitting a request for entry of default at the same time as a request for default judgment.

You must deliver a courtesy copy of the packet to the proper location:

- For limited jurisdiction cases and unlimited jurisdiction cases where you are requesting entry of a default judgment by the clerk, you must deliver a courtesy copy of the packet to the Default Unit. Please see Section 8.0 below (“Courtesy Copies”) for more information regarding delivery to this location.
- For unlimited jurisdiction cases where you are requesting entry of a default judgment by the court, you must deliver a courtesy copy of the packet to the department where the prove-up hearing will be held.

Your Transaction Receipt from File & ServeXpress™ must be attached to the top of the courtesy copy packet.

File-stamped copies are not required for the courtesy copy packet except as noted above regarding the entered default.

Do not include an additional copy of the judgment by default form (Judicial Council Form JUD-100) in your courtesy copy packet as a file-endorsed copy may not be returned to you. If a default judgment is entered, you can obtain a file-stamped copy from the court’s public website, which you are responsible for serving on all parties.

## **4.3 Requests for Entry of Default & Default Judgment Submitted Together**

If you are submitting a request for entry of default at the same time as a request for default judgment that requires a prove-up hearing:

- In general civil cases, you must deliver a courtesy copy of your request for entry of default packet to the Default Unit. You must also deliver a courtesy copy of your request for default judgment packet to the department where the prove-up hearing will be held. Please see Section 4.1 above (“Request for Entry of Default”) and Section 4.2 above (“Request for Default Judgment”) for additional requirements related to the courtesy copy packets.

- In asbestos cases, you must deliver a courtesy copy of your request for default judgment packet to the department where the prove-up hearing will be held. Please see Section 4.2 above (“Request for Default Judgment”) for additional requirements related to the courtesy copy packet. You are not required to deliver a courtesy copy of your request for entry of default packet to the Default Unit.

## **5.0 Obtaining Hearing Dates & Times**

### **5.1 General Civil Cases**

#### **5.1.1 Law & Motion Hearings**

Send an e-mail to calendar302@sftc.org to obtain a hearing date and time along with a reservation number. E-mails sent after noon may not be processed until the next business day. You must e-file your moving papers within 24 hours after receiving the reservation number. You must include the reservation number on the caption page of your notice of motion.

#### **5.1.2 Hearings for Default Prove-Ups & Petitions for Minor’s Compromise**

The number of hearings per day is limited. No reservation is required. However, you should select a hearing date and time that is at least 60 days out to ensure that date and time is available. If the hearing date and time is not available, your documents will be rejected.

### **5.2 Probate Cases**

#### **5.2.1 Requests for Special Settings for Hearings**

If the hearing has not been set yet, deliver the petition and declaration of need for the special setting in person to the Assistant Probate Director at the court. If approved, she will write the hearing date and time on the petition and initial it. Scan the petition (with the handwritten hearing date and time) then e-file the scanned copy. When preparing your e-filing transaction, choose the Document Type of “Petition – Hearing / Not yet Scheduled”. (Note: If the caption page of your petition does not indicate the hearing date and time has been approved, your documents will be rejected for e-filing.)

If the hearing has already been set, follow the procedure in Section 16.6 below (“E-Filing Subsequent Ex Parte Petitions & Other Petitions with Hearings”) to file an ex parte petition to advance a hearing date.

#### **5.2.2 Law & Motion and Discovery Hearings**

Call the courtroom clerk in Department 204 to obtain a hearing date and time. Add the hearing date and time along with “approved by (first name of courtroom

clerk)” to the caption pages of your moving papers and e-file them. When preparing your e-filing transaction, choose the Document Type of “Motion”. (Note: If the caption pages of your moving papers do not indicate the hearing date and time has been approved, your documents will be rejected for e-filing.)

## 5.2.3 Hearings on Subsequent Ex Parte Petitions & Other Petitions

Follow the procedure in Step 1 of Section 16.6 below (“E-Filing Subsequent Ex Parte Petitions & Other Petitions with Hearings”).

## 5.3 All Other Cases

Please see the court’s public website and/or Local Rules for information on how to obtain hearing dates and times in all other cases and situations.

## 6.0 Redacted & Sealed Documents

### 6.1 Motions

A motion to file documents under seal must be e-filed using the Document Access Type “Public”.

### 6.2 Documents

The redacted version of a document must be e-filed using the Document Access Type “Public”.

The **unredacted** version of a document must be e-filed using the Document Access Type “Sealed”.

The format and content of a sealed, **unredacted** document must contain all confidential and public portions. The redacted version must be identical to the sealed, **unredacted** document. However, all confidential information is blacked out and thus “redacted.”

If you want to break up a large document, the sealed, **unredacted** document and the redacted document must be broken up in exactly the same way. Please see Section 1.2 above (“Caption Pages & Slip Sheets”) for more information about submitting large documents that have been broken down.

If an order is issued to seal a document after the document has been e-filed and/or e-served through File & ServeXpress™, please call Client Support at (888) 529-7587 immediately to request the document be “tombstoned” so that it is no longer accessible for viewing. You must provide a file-stamped copy of the signed order sealing the document before any action will be taken.

## **7.0 Confidential Documents**

All confidential documents must be filed in paper form.

If a confidential document is electronically filed through File & ServeXpress™, it is not kept entirely confidential by FSX and there is a possibility that it may be viewed by other FSX filers. Therefore, the filer must request that the document be “tombstoned”, so the document will not be viewable.

If confidential documents are e-filed through File & ServeXpress™ and the Clerk rejects your document, please call Client Support at (888) 529-7587 immediately to request the document be “tombstoned” so that it is no longer accessible for viewing.

## **8.0 Courtesy Copies**

### **8.1 General Civil, Asbestos & Complex Litigation Cases**

Pursuant to Local Rule 2.10, you are required to send a courtesy copy in paper to the judge of any document that requires court review, action or signature. These courtesy copies should be sent directly to the judge's department and are due no later than 1:30 pm Pacific Time the next business day after the documents are e-filed (except for ex parte documents - see below). Courtesy copies should be delivered via messenger to ensure timely delivery. Some judges may require more than one courtesy copy.

For the courtesy copy deadline related to ex parte documents, refer to the court's Amended General Order No. 158 (for asbestos cases) and Local Rule 2.10 (for general civil and complex litigation cases).

For courtesy copies of default packets that must be delivered to the Default Unit, the messenger can bypass the line at the civil counter in the Civic Center Courthouse (room 103) and leave the courtesy copy in the drop box next to the defaults window, which is currently window #13.

Your Transaction Receipt from File & ServeXpress™ must be attached to the top of all courtesy copies.

For your convenience, File & ServeXpress™ can deliver your courtesy copies. This optional feature is located on the "Review & Submit" tab during the e-filing and e-service process. You will be required to enter a specific department as part of submitting your courtesy copy order. For Probate Trust and Estate cases - See next Section 8.2. If your courtesy copy must be delivered to the Default Unit, enter “Default Unit - Room 103, Window #13” in the “Department” field. For pricing, refer to the Optional Services Pricing sheet on File & ServeXpress™ in the Resource Center.

Note: If you e-file a guardian ad litem application, you should deliver the original application (not a courtesy copy) to the appropriate department.

## **8.2 Probate Trust and Estate Cases – Courtesy Copies**

You are required to send FILE-STAMPED courtesy copies of all e-filed Probate Trust and Estate documents. Electronically filed documents are available for viewing on the court’s public website.

The number of courtesy copies that must be sent depends on the type of document. The requirements are:

- 3 copies of proposed orders (which must be sent at least 2 weeks prior to the hearing date);
- 2 copies of documents related to law & motion or discovery hearings;
- 2 copies of a trust accounting when the trust is related to a conservatorship; and
- 1 copy of all other documents.

In addition, courtesy copies:

- Are due no later than one week after the documents are e-filed. The only exception is courtesy copies for ex parte documents, which are due as early as practicable but at least before the time set for the hearing.
- Must be delivered to room 202 (unless the matter has been assigned to a department other than 204, in which case they should be delivered to that department).
- Should be addressed to a specific staff member by name to the extent possible (e.g., Assistant Director, assigned examiner, etc.).
- Must have the hearing date and time on the caption pages (if the documents are related to a hearing) or they will be placed in the “Rejected Courtesy Copies” bin outside room 202.
- Must have file-stamps on the caption pages or they will be placed in the “Rejected Courtesy Copies” bin outside room 202. The only exceptions are proposed orders and drop off ex parte petitions submitted prior to filing, which will not have file-stamps.
- Are not required for documents that are not available for viewing on the court’s public website.

You may deliver courtesy copies to the court through the method of your choice, such as delivering them yourself or using a messenger to deliver them.

## **9.0 Court Fees, Deposits & Sanctions**

### **9.1 Statutory Filing Fees**

When the court accepts a document for e-filing and a statutory filing fee is required, the court will assess the fee on the filing firm (or self-represented party that has opted to e-file) through File & ServeXpress™, which will transfer the money to the court and invoice the firm (or self-represented party). When a document is required to be filed traditionally in paper or a self-represented party is filing a document traditionally in paper, the statutory filing fee must be paid at the civil filing counter in the Civic Center Courthouse (room 103).

### **9.2 Court Reporter Fees**

For hearings where the moving party must pay a fee for a court reporter provided by the court, the following procedures must be followed to ensure the court is able to access the fee.

When the fee must be paid prior to the day of the hearing:

- The firm representing the moving party must submit a cover letter or notice in the same e-filing transaction as the moving papers. If the cover letter/notice is not submitted with the moving papers, the entire e-filing transaction (including the moving papers) will be rejected.
- The cover letter/notice should specify the case name, case number and name of the party that is paying the fee. The Document Type of "Notice of Payment for Court Reporter Fee" must be selected for the cover letter/notice.
- When the court accepts the cover letter/notice, the fee will be assessed on the filing firm through File & ServeXpress™, which will transfer the money to the court and invoice the firm. (This is the usual process when any type of fee is assessed by the court on an e-filing transaction.)
- Self-represented parties may pay the fee using this method or may pay at the civil filing counter in the Civic Center Courthouse (room 103).

When the fee must be paid the day of the hearing, the moving party must pay it at the civil filing counter in the Civic Center Courthouse (room 103).

### **9.3 Jury Fees**

To post the non-refundable jury fees deposit:

- A firm must submit a notice of the \$150 jury fees deposit or other document (such as a cover letter) to the court through File & ServeXpress™ indicating the case name, case number, name of the party who is posting the deposit and the amount. (Note: For each party name indicated, the non-refundable \$150 jury fee deposit will be assessed.) The firm should use the Document Type of "Jury Deposit for First Day of Trial". When the court accepts the document (stamping it as "Received, Not Filed"), the deposit will be assessed on the filing firm through File & ServeXpress™, which will transfer the money to the court and invoice the firm. (This is the usual process when any type of fee is assessed by the court on an e-filing transaction.) Self-represented parties may post the fees using this method or may post them at the civil filing counter in the Civic Center Courthouse (room 103).

To post advanced jury fees:

- A firm must submit a notice of advance jury fees or other document (such as a cover letter) to the court through File & ServeXpress™ indicating the case name, case number, name of the party who is posting the fees and the amount. The firm should use the Document Type of "Jury Deposit for Advanced Fees". Self-represented parties may post the fees using this method or may post them at the civil filing counter in the Civic Center Courthouse (room 103).

For subsequent jury fees:

- The courtroom clerk will tell the party the correct amount and the party will give a check to the courtroom clerk.

### **9.4 Undertakings**

Fees for undertakings must be paid at the civil filing counter in the Civic Center Courthouse (room 103).

### **9.5 Sanctions**

To pay sanctions, the firm representing the party owing the sanctions must e-file a cover letter or notice of payment in the case in which the sanctions were ordered. The cover letter/notice should specify the case name, case number, amount of the sanctions, name of the party for whom the sanctions are being paid and the date(s) of the sanctions order(s). The firm should attach the order(s) as an exhibit to the cover letter/notice. The Document Type of "Sanctions Payment" must be selected for the cover letter/notice.

## File & ServeXpress™

When the eFile Unit accepts the cover letter/notice, the sanctions will be assessed on the filing firm through File & ServeXpress™, which will transfer the money to the court and invoice the firm. (This is the usual process when any type of fee is assessed by the court on an e-filing transaction.) Self-represented parties may pay sanctions using this method or may pay at the civil filing counter in the Civic Center Courthouse (room 103).

### 9.6 Pro Hac Vice Renewal Fees

The annual renewal fee of \$500 is due on or before the anniversary of the date the application to appear as counsel pro hac vice was granted.

To pay the renewal fee, the attorney's firm must e-file a cover letter or notice of payment in the case in which the application was granted. The cover letter/notice should specify the case name, case number, amount of the fee (\$500) and name of the attorney for whom the fee is being paid. The Document Type of "Pro Hac Vice Annual Renewal Fee" must be selected for the cover letter/notice.

When the eFile Unit accepts the cover letter/notice, the \$500 fee will be assessed on the filing firm through File & ServeXpress™, which will transfer the money to the court and invoice the firm. (This is the usual process when any type of fee is assessed by the court on an e-filing transaction.)

If the cover letter/notice is not e-filed by the deadline noted above, the attorney's pro hac vice status will terminate on the anniversary of the date the application to appear as counsel pro hac vice was granted.

### 9.7 Appeals

There are several Document Types available for filings related to appeals, some of which require additional information to be entered or documents to be e-filed in order to post a deposit or pay the necessary fee.

- For the Document Type of "Appeal, Designation of Record-Specify Amount," a firm must enter the amount to be deposited in the "Note To Clerk" field on the "Review & Submit" tab.
- See Local Rules 15.4(G) and 2.10(U) re delivery of courtesy copies of the filed designation if a certified Reporter's Transcript is attached.
- For the Document Type of "Appeal, Fees for Reporters Transcript," if there is a need to make a deposit on a reporter's transcript after the filing of the designation of record on appeal, a firm must e-file a cover letter indicating the case name, case number, date the designation of record was filed, name of the party who is posting the deposit and the amount.

- For the Document Type of “Appeal, Fees for Clerks Transcript,” a firm must e-file a cover letter indicating the case name, case number, date the clerk’s estimate of cost of appeal record was filed, name of the party who is posting the deposit and the amount.
- For the Document Type of “Appeal, Court of Appeal Filing Fee Deposit,” a firm must e-file a cover letter indicating the case name, case number and name of the party who is posting the deposit.

When the eFile Unit accepts the cover letter/notice for the above Document Types, the deposit or fee will be assessed on the filing firm through File & ServeXpress™, which will transfer the money to the court and invoice the firm. (This is the usual process when any type of fee is assessed by the court on an e-filing transaction.) Self-represented parties may post deposits or pay fees using this method or may do so at the civil filing counter in the Civic Center Courthouse (room 103).

### **10.0 Rejected Documents**

If your document has been rejected, click the blue “Document History” link on the left side of the Transaction Details page to obtain the name of the clerk as well as the reason for rejection. If you decide to call the court for an additional explanation, the court requests that you contact the specific clerk who rejected the document. When you call, be sure to have your Transaction ID number ready, as it will help the clerk assist you more quickly.

### **11.0 File-Stamped Copies**

To view, print or download a file-stamped copy of an e-filed document, you will need to go to court's public website as these copies are not available on File & ServeXpress™. Documents accepted for filing will be posted to the Court’s Public website by 5:00pm the same day. The file-stamped copy will be available for viewing no later than the next business day after a document is accepted for e-filing. The official court record of a case will continue to be the court’s Register of Actions, which will include all e-filed documents. However, you can check File & ServeXpress™ to confirm a document was accepted by the court. This information can be obtained by looking at the “Clerk Review Status” field on the Transaction Details page.

### **12.0 Self-Represented Parties & Non-Parties**

#### **12.1 Asbestos Cases**

Self-represented parties and self-represented non-parties will continue to file, serve and be served traditionally in paper.

#### **12.2 General Civil, Complex Litigation, Probate Trust and Probate Estate Cases**

Self-represented parties and non-parties may e-file and e-serve. However, they must be served traditionally in paper. Also, once a self-represented party chooses to e-file in a

probate trust or estate case, the party must continue to e-file in that case. Incarcerated self-represented parties must continue to file and serve in paper.

## **13.0 Service List Updates**

### **13.1 Asbestos Cases**

See Section 14.0 below (“Additional Information for Asbestos Cases”).

### **13.2 General Civil Cases, Complex Litigation Cases (except for Reglan, DePuy ASR & Gadolinium JCCP cases), Probate Trust and Estate Cases**

To add a party or attorney to a case, use the “Case & Party Management” feature on the Home page of File & ServeXpress™, or use the “Add Party/Attorney” button while preparing an e-filing and/or e-service transaction.

To remove a party, attorney or law firm from a case, use the “Case & Party Management” feature on the Home page of File & ServeXpress™. Per Local Rule 2.10, entities may only be removed by the party initiating the action against that entity, or by order of the court.

### **13.3 Reglan, DePuy ASR & Gadolinium JCCP cases**

See Section 15.0 below (“Additional Procedures for Reglan, DePuy ASR & Gadolinium JCCP cases”).

### **13.4 All Cases**

You are responsible for adding and removing attorneys from your firm as needed on the File and ServeXpress™ service lists. Documents such as a notice of substitution, association of attorney, withdrawal of attorney, notice of firm name change or change of address form that firms are currently required to be filed with the court will still need to be e-filed even when the service lists on File & ServeXpress™ have been updated to reflect the information in those notices. In addition, you are responsible for serving all parties even if they are not listed on the File & ServeXpress™ service lists.

## **14.0 Additional Information for Asbestos Cases**

In addition to the sections below, be sure to review all other sections in this document for information applicable to the asbestos cases.

### **14.1 Multi-Case Option**

Do not select the option for “File and/or Serve in Multiple Cases” unless you only intend to e-serve in multiple cases. You cannot e-file into multiple cases in this court, you can only e-serve into multiple cases. For more information, see Section 14.2 below (“E-Filing & E-Service in Case Groups”).

## **14.2 E-Filing & E-Service in Case Groups**

For instructions on how to e-file into the lead case in a case group, and e-serve into some/all of the cases in a case group, refer to the document entitled “Asbestos Cases - Procedure to E-File and E-Serve in Case Groups” which is posted on File & ServeXpress™ in the Resource Center.

## **14.3 Updating Service Lists**

For instructions on how to update service lists, refer to the document below that applies to your firm. Both documents are posted on File & ServeXpress™ in the Resource Center.

“Asbestos Cases - Updating Service Lists: Instructions for Plaintiff Firms”

“Asbestos Cases - Updating Services Lists: Instructions for Defense Firms”

## **14.4 Amended General Order No. 158**

Be sure to review the court's Amended General Order No. 158 for additional information regarding e-filing and e-service. This order is posted on the court's public website and on File & ServeXpress™ in the Resource Center.

## **15.0 Additional Information for Reglan, DePuy ASR & Gadolinium JCCP Cases**

The information below applies to these cases: Reglan (JCCP 4631), DePuy ASR (JCCP 4649) and Gadolinium (JCCP 4546). Be sure to review all other sections in this document for information applicable to these cases.

### **15.1 Where to E-File Documents**

E-filed documents must be submitted into the “main case” for each JCCP, which are listed on File & Serve as follows:

Case Name: Reglan/Metoclopramide Cases  
Case Number: 004631

Case Name: Depuy ASR Hip System Cases  
Case Number: 004649

Case Name: Gadolinium Medical Cases  
Case Number: 004546

## 15.2 Where to E-Serve Documents

For the Reglan and DePuy ASR cases:

E-served documents may be submitted into the main cases noted above or into a specific underlying (individual) case. The case names of underlying cases will begin with “FOR ESERVICE ONLY”. You do not need to e-serve the same document into both a main case and an underlying case.

If you e-file a document and then e-serve it into an underlying case, you should refer to the transaction ID of the e-filed document in the document “Title” field for the e-serve transaction. This will help to locate the e-served transaction if there is ever a dispute over service of an e-filed document.

For the Gadolinium case, documents must be e-served into the main case referenced above.

## 15.3 “Research” Cases

Since the Reglan, DePuy ASR and Gadolinium JCCP cases were set up on File & ServeXpress™ for e-service only prior to the date e-filing began, each JCCP will also have a “research case” that consists of transactions which were e-served prior to the e-filing start date (10/15/12). These cases are listed on File & ServeXpress™ as follows:

### Reglan

Case Name: DO NOT USE FOR ESERVICE OR EFILING:  
In re: Reglan/Metoclopramide Master Case JCCP4631  
(DOCUMENTS PRIOR TO 10/15/12)

Case Number: Master Case CJC-10-004631 (FOR RESEARCH ONLY)

### DePuy ASR

Case Name: DO NOT USE FOR ESERVICE OR EFILING:  
Depuy ASR Hip System Cases (JCCP4649)  
(DOCUMENTS PRIOR TO 10/15/12)

Case Number: CJC-10-004649- Master Case (FOR RESEARCH ONLY)

Gadolinium

Case Name: DO NOT USE FOR ESERVICE OR EFILING:  
Gadolinium Medical Cases  
(DOCUMENTS PRIOR TO 10/15/12)

Case Number: JCCP 4546 (FOR RESEARCH ONLY)

**15.4 Service List Updates – Adding Parties & Attorneys**

Main Cases (Reglan, DePuy ASR & Gadolinium) and Underlying Cases (DePuy ASR)

To add a party or attorney to a case, use the “Case & Party Management” feature on the Home page of File & ServeXpress™, or use the “Add Party/Attorney” button while preparing an e-filing and/or e-service transaction.

Underlying Cases (Reglan)

If a firm is not on at least one underlying case, it must contact liaison counsel for permission to be added to a case. (Plaintiff firms must receive permission from plaintiff liaison counsel and defense firms must receive permission from defense liaison counsel.) Once a firm is added to a case, it may add additional parties or attorneys by using the “Case & Party Management” feature on the Home page of File & ServeXpress™, or by using the “Add Party/Attorney” button while preparing an e-filing and/or e-service transaction.

**15.5 Service List Updates – Removing Parties & Attorneys**

Main Cases (Reglan, DePuy ASR & Gadolinium) and Underlying Cases (DePuy ASR)

To remove a party or attorney from a case, a firm may use the “Case & Party Management” feature on the Home page of File & ServeXpress™ as long as it complies with Local Rule 2.10 which states that entities “may only be removed by the party initiating the action against that entity, or by order of the court.”

Underlying Cases (Reglan)

If a firm wants to completely remove itself from all underlying cases, it must contact liaison counsel for permission. (Plaintiff firms must receive permission from plaintiff liaison counsel and defense firms must receive permission from defense liaison counsel.) Otherwise, a firm may use the “Case & Party Management” feature on the Home page of File & ServeXpress™ as long as it complies with Local Rule 2.10 which states that entities “may only be removed by the party initiating the action against that entity, or by order of the court.”

## **16.0 Additional Information for Probate Trust and Estate Cases**

In addition to the sections below, be sure to review all other sections in this document for information applicable to the probate trust and estate cases.

### **16.1 Beneficiaries & Heirs**

The File & ServeXpress™ service lists will not include beneficiaries, heirs, creditors, Claimants of Interest and Assignees unless they are parties to a case.

However, you can send copies of documents to them via e-mail or fax by clicking on the Additional Recipient tab as part of submitting a transaction. There is no cost for using the Additional Recipients feature if you are e-serving parties in the same transaction. If you are not e-serving parties in the same transaction, the cost is the same as that to e-serve.

### **16.2 Requests for Special Notice**

Interested persons can continue to file requests for special notice. If the request is e-filed, the individual will be automatically added to the service list for the case on File & ServeXpress™. If the request is filed traditionally in paper by a self-represented party, and the party would like to receive special notice via e-service, the party should use the Case & Party Management feature on File & ServeXpress™ to be added to the case.

### **16.3 Original Documents (in Paper Form)**

The following documents must be filed traditionally in paper in their original form:

- Inventories and Appraisals.
- Ex Parte Petition for Final Discharge and Order.
- Letters of Administration.
- Letters Testamentary.
- Original wills.
- Certified copies of Death Certificates with Affidavits pursuant to Probate Code 13100, et seq.
- Certified copies of Birth Certificates.
- Certified copy of Spousal Property order.
- Certified copy of Letters issued in estates administered outside San Francisco County.

- Confidential Documents.

If confidential documents are electronically filed, please see Section 7 for instructions on how to “tombstone” inadvertently e-filed confidential documents, so they are not viewable.

All other original documents required by Local Rule 14.62 and Probate Code § 2620, including bonds, may be traditionally filed in paper or e-filed if the attorney of record retains the original document in accordance with Local Rule 2.10(N)(4) and e-files a separate declaration certifying the retention of the original document in the same transaction.

## **16.4 Mandatory Judicial Council Forms**

### **16.4.1 Notice of Hearing**

You must continue to use the mandatory Judicial Council form for a notice of hearing (Form DE-120). Page 1 of the form is mandatory (the notice of hearing). Page 2 of the form is optional (the proof of service by mail). Instead of using page 2, you may prepare your own proof of service and must do so if the form is e-served.

### **16.4.2 Other Forms**

Judicial Council forms that are not specific to Probate must reflect the true title of the case, even if the form is not formatted specifically for Probate. For example in an estate case, if the field is only set up to enter petitioner/respondent, and the case name is “The Estate of John Doe”, the case name “The Estate of John Doe” must be typed in the party/case name box.

The same requirement applies to trust cases. If the case name is “In the Matter of the John Doe Trust dated 1990”, the case name must be typed into the party/case name box (in lieu of party names) to match the trust name exactly.

## **16.5 Drop Off Ex Parte Petitions Submitted Prior to Filing**

An ex parte petition and proposed order submitted prior to filing as one document (such as ex parte petition for final discharge) must be delivered in paper form to room 202 at the court. If e-filed,

choose the Document Type of “Ex Parte Petition – No Hearing / Filed After Review”. The ex parte petition will be “accepted without docketing” (i.e., lodged not filed) so will not receive a file-stamp and will not be posted to the court’s public website. Note: Even if the ex parte petition is e-filed, the original ex parte petition must still be delivered in paper form to Room 202.

## **16.6 E-Filing Subsequent Ex Parte Petitions & Other Petitions with Hearings**

- Step 1 – E-File Your Moving Papers to Obtain a Hearing Date & Time

Begin your first transaction on File & ServeXpress™.

Select the proper Document Type to alert the e-file clerk that you need a hearing date and time assigned. For an ex parte petition, choose the Document Type of “Ex Parte Petition – Hearing / Filed”. For other petitions, choose the Document Type of “Petition – Hearing / Not Yet Scheduled”. Upload your moving papers with the hearing date and time as blank on the caption page.

For Estate Cases:

The Document TITLE field MUST match the caption title of the document. For example, with a Probate Petition, the document title should begin with “Petition for”, but also include the entire name of the petition selected. Naming your Document Title only “Petition for Probate” will not be adequate. Here are two examples:

“Petition for Probate of Will and for Letters Testamentary,”

or

“Petition for Letters of Administration”

Do not include a notice of hearing in this transaction (this document should be e-filed as part of Step 2 below). The only exception is if you are submitting a report of sale petition. In that situation, upload your notice of hearing with the hearing date and time as blank and select the Document Type of “Proof of Posting”.

In the “Note To Clerk” field on the “Review & Submit” tab, enter any dates that you or your attorney are not available for a hearing. Submit your moving papers for e-filing. (Note: If you have more than one set of moving papers to submit where each set requires a different hearing date, you must submit each set of papers in a separate transaction as only one hearing date can be assigned per transaction.)

You may e-serve the documents (without file-stamps) as part of the same transaction.

If the e-file clerk accepts your moving papers for e-filing, the clerk will apply a hearing stamp that contains the assigned hearing date and time, along with a file-stamp, on the caption page of your petition. If your transaction includes a proof of posting, that document will also include a “Clerk Certificate of Posting” stamp on the caption page. (Note: The hearing stamp will be located in the upper right corner of the caption page underneath the file-stamp. The “Clerk Certificate

## File & ServeXpress™

of Posting” stamp will be in the same area but above the file-stamp.) The stamped copies will then be posted to the court’s public website. You will also receive an “accepted with edits” e-mail from File & ServeXpress™ that contains the hearing date and time.

- Step 2 – E-File Your Notice of Hearing or Declaration of Notice & Proof of Service

Begin your second transaction on File & ServeXpress™.

Upload your notice of hearing or declaration of notice and your proof of service. Submit them for e-filing. Be sure your notice of hearing or declaration of notice includes the date and time of the hearing that you obtained through Step 1 above.

If your notice of hearing already contains a file-stamp and a “Clerk Certificate of Posting” stamp on the first page, and you have filled out the proof of service on the second page, add a caption page as a cover sheet so the clerk can apply a new file-stamp on the cover sheet. The caption on the cover sheet should include the following document title: “Proof of Service for (remainder of document title)”.

You may e-serve the documents (without file-stamps) as part of the same transaction.

If the e-file clerk accepts your documents for e-filing, the clerk will apply a file-stamp and file-stamped copies will be posted to the court’s public website.

- Step 3 – Deliver File-Stamped Courtesy Copies of All Documents to the Court

Download or print file-stamped copies of all documents (your moving papers, notice of hearing or declaration of notice and proof of service) from the court’s public website. Deliver the file-stamped copies (i.e., courtesy copies) to room 202 at the court. Please see Section 8.2 above (“Courtesy Copies – Probate Trust and Estate Cases”) for additional requirements related to courtesy copies that may apply to your documents.

If you would like to e-serve the file-stamped copies, begin your third transaction on File & ServeXpress™, upload the file-stamped copies and complete the steps necessary to submit the transaction.

### 16.7 Response to Examiner’s Notes

To ensure your response to examiner’s notes is designated as a priority for the e-file clerk, you must follow these steps:

- Begin the title of your document on the caption page with the words “Declaration in Response to Examiner’s Notes”;

- Enter the exact document title from your caption page into the “Document Title” box on the “Documents” tab when preparing your e-filing transaction; and
- Select the Document Type of “Declaration in Response to Examiner’s Notes”.

### **16.8 Service of Orders**

Orders will continue to be signed by the probate judges in paper, file-stamped, posted to the court's public website and returned to the moving party in the usual manner (i.e., returned via US Mail if a self-addressed stamped envelope was provided, or placed in the outbox for pick up). The moving party will continue to be responsible for serving a signed order on all parties.

If the moving party would like a signed order to appear in the Case History on File & ServeXpress™, the party should e-serve it. However, if an order is served traditionally in paper, you can use the "Document Upload" feature on the Home page of File & ServeXpress™ for a nominal cost to add the order to the Case History for viewing by your firm only. For pricing, refer to the Optional Services Pricing sheet on File & ServeXpress™ in the Resource Center.

### **16.9 Documents Filed in Multiples**

You may upload documents filed in multiples (such as receipts on distribution, consents, waivers of accounting and nominations) for the same case as one document to be e-filed if you attach a caption page as a cover sheet.

### **16.10 Payment of Waived Filing Fees**

See Section 3.0 Fee Waivers.

## **17.0 Additional Rules & Procedures**

This Special Instructions document is intended to highlight some of the court’s rules and procedures that apply to e-filing and e-service. You should also review the documents below to ensure you fully comply with all of the court’s rules and procedures. These documents are posted on the court’s public website and on File & ServeXpress™ in the Resource Center.

- For asbestos cases, review Amended General Order No. 158.
- For complex litigation cases, review the court’s Local Rule 2.10.
- For probate trust and estate cases, review the court’s Local Rules 2.10 and 14.100.

## **18.0 Miscellaneous**

### **18.1 Documents Issued by the Court**

The court will continue to issue summons, abstracts, writs and orders of examination traditionally in paper.

### **18.2 Document Served in Open Court**

During trial, documents presented to the court in writing for decision (such as motions and memoranda of points & authorities) may be served in open court traditionally in paper. To become part of the court record, the document and proof of service must be e-filed no later than the close of business on the next court day following the service in paper by hand in open court. The proof of service must reference the date the documents were originally served in open court.

### **18.3 Guardian Ad Litem Applications**

A guardian ad litem application may be filed traditionally in paper at the same time as the initial complaint or petition. Otherwise, the application must be e-filed and the filing firm must deliver the original application to the appropriate department.

### **18.4 Bonds**

In probate trust and estate cases, bonds can be filed by the bonding company or a firm, and can be filed traditionally in paper or e-filed. When e-filing a bond, you must attach a caption page as a cover sheet and e-file a declaration certifying the retention of the original bond in the same transaction.

In all other cases, bonds must be filed traditionally in paper.

### **18.5 Dismissals**

You must continue to use the mandatory Judicial Council form to request a dismissal (Form CIV-110). When a dismissal is entered, the e-file clerk will apply a file-stamp but will not fill out the bottom of page one of the form and will not sign or date it. The file-stamped copy of the form is proof the dismissal has been entered and will be posted on the court's public website. The file-stamped copy is also what should be attached to the mandatory Judicial Council form that provides notice of entry of the dismissal (Form CIV-120).

### **18.6 Rejection of Arbitrator's Award – Request for Trial De Novo**

If you are rejecting an arbitrator's award, the request for trial de novo must be e-filed and the Document Type of "Arbitration (Judicial) - Request For Trial De Novo" must be selected.

### **18.7 Certified Copies**

You can obtain a certified copy of an e-filed document from the civil filing counter at the Civic Center Courthouse (room 103). The clerk will print a file-stamped copy of the document from the court's electronic case docket and stamp it as certified.

### **18.8 Official E-Service is Sent to Your Inbox on File & ServeXpress™**

Your Inbox on File & ServeXpress™ is the only official location for receiving e-service of documents. You should not rely on the courtesy e-mails to be notified that documents have been e-served on you or your firm. It is recommended that you check your Inbox on File & ServeXpress™ at least once a day to ensure you do not miss any documents that have been e-served.

### **18.9 Missing Cases**

If you cannot find your case on File & ServeXpress™, call Client Support at (888) 529-7587.

### **18.10 Statutory Filing Fee Questions & Refunds**

If you have questions about how the court calculated the statutory filing fees when your document was accepted, call the court's eFile Unit at (415) 551-3824 (for general civil, asbestos and complex litigation cases) or (415) 551-3892 (for probate trust and estate cases).

If you would like to request a refund of statutory filing fees, go to the court's public website, click "Forms & Fees," select "Local Forms," print the "Accounting – Request for Refund" form and mail the completed form to the court's address on the bottom of the form.

### **18.11 Invoice Options**

Your File & ServeXpress™ invoices can be sent electronically via e-mail (no charge) or in paper via U.S. Mail (additional charge). To change the option, the designated Organization Administrator for your account should click "File & ServeXpress Preferences" and then click "My Organization". If you do not know which person is the designated Organization Administrator for your account, or the Organization Administrator needs assistance to change the invoice option, call Client Support for File & ServeXpress™ at (888) 529-7587.

## 18.12 Government Agencies

Government agencies are not required to pay e-filing and e-service fees. However, these organizations must call Client Support for File & ServeXpress™ at (888) 529-7587 to ensure their account is properly set up so these fees are not billed. In addition, these organizations should use the "Note To Clerk" field on the "Review & Submit" tab to remind the e-file clerk about their exempt status so that statutory filing fees are not assessed.

Fees for optional services will not be waived for government agencies. Optional services available on File & ServeXpress™ include but are not limited to: uploading documents by fax; serving documents via US Mail or fax; sending documents via the Additional Recipients feature; ordering courtesy copies; running searches for cases or documents; purchasing documents; pulling reports; setting up Alerts; and opting to receive paper

invoices. For more information, please refer to the Optional Services Pricing sheet on File & ServeXpress™ in the Resource Center.

## 19.0 Technical Issues

If you experience technical issues, call Client Support for File & ServeXpress™ at (888) 529-7587 for assistance. If you miss an e-filing or e-service deadline due to a technical issue, refer to the court's "Procedures for Technical and/or System Error Regarding E-Filed & E-Served Documents" which posted on File & ServeXpress™ in the Resource Center.

## 20.0 Client Support

File & ServeXpress™:

- (888) 529-7587
- support@fileandservexpress.com (please use "San Francisco" in the subject line)

San Francisco Superior Court's eFile Unit:

- General Civil, Asbestos and Complex Litigation Cases: (415) 551-3824
- Probate Trust Cases: (415) 551-3892
- Defaults: (415) 551-5921 or (415) 551-5969

Note: When calling these numbers, please leave a message with your question, transaction number(s) and a toll-free phone number (or a phone number where the court can place a collect call). Please do not call other court numbers with questions regarding e-filing transactions.