

# Frequently Asked Questions

## Electronic Filing

### Santa Cruz Superior Court

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## **Basic Electronic Filing Questions**

### **1.) How does e-filing work?**

- a. Electronic filing or e-filing enables filers and courts to efficiently process documents and fees online. eFileCA manages the flow of information among filers, clerks, court personnel and judges.

The filer submits documents by establishing an account with an electronic service provider (EFSP) at <http://www.odysseyefileca.com/service-providers.htm>

### **2.) Is e-filing secure?**

- a. Yes. The eFileCA system adheres to state and federal security regulations and meets Payment Card Industry Security Standards to protect filer and transaction information.

### **3.) Is e-filing mandatory for my court?**

- a. Yes, e-filing is mandatory for attorneys, but optional for self-represented litigants. See Santa Cruz Superior Court Local Rule 1.3.
- b. It varies by court. Please review the list of Courts accepting e-filings section at <http://www.odysseyeFileCA.com> for information on specific courts.

### **4.) What type of cases can I e-File using eFileCA?**

- a. In Santa Cruz County e-filing is mandatory for all case types. See Santa Cruz Superior Court Local Rule 1.3.
- b. Most courts restrict e-filing to non-criminal cases. Specific case types per court can be viewed by logging into <http://www.odysseyefileca.com/service-providers.htm>, selecting a particular court, and viewing their available options.

### **5.) When can I use eFileCA?**

- a. eFileCA is available 24 hours a day, seven days a week. Consult your local court rules for the court review timelines and schedules.
- b. Any document received electronically by the court between 12:00 a.m. and 11:59:59 p.m. on a court day shall be deemed filed on that court day. Any document that is received electronically on a non-court day shall be deemed filed on the next court day, see Civil Code of Procedure 1010.6.

**Note:** The system may be temporarily offline from time to time for maintenance purposes.

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**6.) Can I use eFileCA if I'm a self represented litigant (pro per or pro se)?**

- a. Yes, self-represented parties are eligible to use the site for e-filing. However, it is not mandatory and they may continue to file by mail or in person.

**7.) Do I have to register to use eFileCA?**

- a. Yes, all users must register with an electronic service provider (EFSP) prior to using e-filing.

**8.) Is support available for the eFileCA system?**

- a. Yes, support is provided for both attorneys and self represented litigants. Each electronic filing service provider (EFSP) offers a different type of e-filing support. When you pick your EFSP look at the level of filing support that is offered and see if it meets your needs.

**9.) Is training available for using eFileCA?**

- a. Yes, training is provided for free. You can register by selecting Web Training Sessions at <http://www.odysseeyefileca.com/service-providers.htm>. You can attend as many training sessions as you need. One hour of CLE credit can be earned for many of the sessions.

**10.) What time do I have to submit my document to have it deemed filed the same day?**

- a. Any document received electronically by the court between 12:00 a.m. and 11:59:59 p.m. on a court day shall be deemed filed on that court day. Any document that is received electronically on a non-court day shall be deemed filed on the next court day, see Civil Code of Procedure 1010.6. Keep in mind that some of the EFSP companies have a cut-off time for same-day processing because of the time it takes for the envelope to be submitted and received by the court.

**11.) What documents can and cannot be e-filed?**

- a. All documents can be electronically filed except for those outlined in [Local Rules 1.3.01\(c\)](#).

**12.) How will we be notified about whether a filing is accepted or rejected?**

- a. You will receive an email once the filing has been processed indicating if the filing was accepted or rejected.

**13.) In a criminal case, what email address shall we use to serve the DA's Office?**

- a. The Santa Cruz District Attorney's Office has asked filers to use the following email addresses for service:
  - 1. Felony cases: [DATFelonyTeam@santacruzcounty.us](mailto:DATFelonyTeam@santacruzcounty.us)
  - 2. Misdemeanor cases: [DATMisdemeanorTeam@santacruzcounty.us](mailto:DATMisdemeanorTeam@santacruzcounty.us)

**14.) Can I sign my document with an electronic signature?**

- a. Refer to [California Rule of Court 2.257](#) for the Requirements for signatures on documents

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**15.) How do I submit CD's where I would previously submit them over the counter?**

- a. CD's shall be submitted in the courtroom only. We will not accept either the contents of CD's or CD's themselves when e-filing.

**16.) How do I e-file documents requiring a Judge's signature in a Non-Criminal Case?**

- a. All items requiring a judge's signature are subject to mandatory electronic filing for all non-criminal case types.
- b. The document requiring a signature must be its own lead document. Any letter or cover sheet accompanying the document must be submitted under a separate filing code as its own lead document.

## **Electronic Service**

**1.) What is e-service?**

- a. E-service is a feature provided by eFileCA where documents are electronically served to other parties in a case via e-mail. Using this option, you can track when each party received and opened the filing.

**Note:** Initial filing service must be served in person.

**2.) How do I serve other individuals with my e-filed documents?**

- a. Filers are responsible for accomplishing service of all filings as required by applicable court rules. For this purpose, filers may use the mail service, serve by hand delivery, send an e-mail, or use eFileCA as it offers the option of electronic service of each filing to the designated service contact.

**3.) Can I use e-service without filing a document with the court?**

- a. Yes, eFileCA may be used to exchange documents between parties without filing the documents through the courts.

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#### **Electronic Filing Fees**

##### **1.) Is there a fee to use eFileCA?**

- a. Yes, there are fees associated with filing documents electronically with eFileCA.com:
- b. Standard court filing fees: Statewide fee schedules can be found at <https://www.santacruz.courts.ca.gov/forms-filing/fees-bail-schedules>. Contact your local court for additional information on specific filing fees.
- c. Filings submitted without all the required filing fees will be rejected for correction.
- d. *E-file fee*: A service fee is assessed for use of the e-filing system. The fee is \$7.00. This is subject to change.
- e. *EFSP fee*: Additional fees may be charged by provider, fees vary between the different providers
- f. *Payment service fee*: A payment service fee is assessed to cover the credit card processing fees there is a minimum credit-card convenience fee of \$1.00.
- g. *eCheck Fee*: The fee is \$1.00.

#### **Adding New Parties**

##### **1.) Do I need to add new parties when filing into an existing case?**

- a. When electronically filing into an existing case, parties that already exist in the case should not be added as new parties. We have noticed an increasing number of filers adding new parties, when those parties already exist on the case. The only time new parties should be added to the case is when the filing adds new parties to an existing case. This could be an amended complaint adding new defendants, cross complaint adding cross-defendants, amendment to complaint naming a doe, etc. When new parties are added through electronic filing that already exist on the case, the clerk must delete them before processing the filing or the parties will be duplicated in the case management system.

#### **Documents**

##### **1.) Can I upload all documents together or must they be separated?**

- a. Documents should be filed as you would file them at the clerk window. For instance, a document that would have been stapled together at filing should be filed as one lead document. Another way to think about it is that anything that needs its own file stamp should be filed separately, as a lead document that gets its own separate event code. Multiple documents can be filed together in one envelope but each document to be filed needs its own event code.

##### **2.) Is there a size limit for the document that can be uploaded?**

- a. Limits are 35 megabits for the whole envelope and 25 megabits for a single document. There have been a few initial problems here that have all been resolved by calling the EFSP. If the document is truly too big, and the EFSP cannot resolve it, then the document can be electronically filed in separate batches—but please first call the court to let us know that this is going to happen so we can monitor and filings are not rejected in error.

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#### **3.) What format do I have to save my document in?**

- a. PDF, however some EFSPs allow you to file as a Word document because they then turn it into a PDF for you.

#### **4.) Do I have to bookmark my document?**

- a. Yes, pursuant to California Rule of Court 3.1110(f), a document filed electronically with exhibits must include electronic bookmarks with links to the first page of each exhibit and a bookmark title that identifies the exhibit number or letter and briefly describes the exhibit.

#### **5.) Do I have to add OCR (Optical Character Recognition) to my document?**

- a. Yes, pursuant to California Rule of Court 2.256(b)(3), a document filed electronically must be text searchable.
- b. For assistance you can contact the filer support number for the electronic service provider you are using.