

# Contra Costa Superior Court Electronic Filing Instructions/FAQs

## I. General Questions

### What is electronic filing?

Electronic filing (e-filing) allows users to electronically file documents with the Court through the use of an electronic filing service provider (EFSP). A user submits documents to an EFSP for filing with the Court. The Court then accepts or rejects the documents, and the documents are returned to the EFSP. The EFSP then returns the documents to the party through the EFSP's own electronic filing portal.

### Is there a Local Rule or Standing Order that governs e-filing?

E-filing is governed by Local Rule 2.87 and the Standing Order on E-Filing. You should also refer to [Rule 2.251](#) of the California Rules of Court and [Code of Civil Procedure § 1010.6](#).

### Who must e-file?

All represented parties in case types subject to e-filing **must e-file as of July 5, 2022**. E-filing will be optional beginning June 20, 2022.

### Must self-represented litigants e-file?

No, self-represented litigants are exempt from mandatory e-filing. But they may opt to e-file and may find it to be more convenient and less expensive than other filing methods.

### What case types are subject to mandatory e-filing?

- (1) Civil cases, including Limited, Unlimited, and Complex matters.
- (2) Family Law cases, including DCSS matters
- (3) Probate cases
- (4) Small Claims cases
- (5) Unlawful Detainer cases

## What documents cannot be e-filed?

The following documents may not be e-filed and must still be filed/lodged in hard copy form.

- (1) Documents related to Domestic Violence Restraining Orders, Civil Harassment Restraining Orders, Workplace Violence Restraining Orders and Gun Violence Restraining Orders.

(Subject to funding as required by Family Code § 6306.5, the Court will permit Domestic Violence Restraining Orders to be filed electronically and will announce the same on the Court's website. On or before July 1, 2023, as required by Penal Code § 18122 and Family Code § 6307, the court will permit electronic filing of both Domestic Violence and Gun Violence Restraining Orders, and will announce the same on the Court's website.)

- (2) Bonds and undertakings
- (3) Bench warrants
- (4) Petitions for Name Change
- (5) Documents submitted provisionally under seal pending a motion to seal (see below)
- (6) Challenges under Code of Civil Procedure §§ 170.1/170.3 and 170.6
- (7) In Civil matters:
  - a. Proposed Default Court Judgment Packet
  - b. Ex Parte Motions and Oppositions
  - c. Abstract of Judgment
  - d. Writ of Execution/Possession/Attachment
  - e. Subpoenas
  - f. Administrative Records
- (8) In Civil Complex matters:
  - a. Proposed Default Court Judgment Packet
  - b. Ex Parte Motions and Oppositions
  - c. Abstract of Judgment
  - d. Writ of Execution/Possession/Attachment
  - e. Subpoenas
  - f. Administrative Records

- (9) In Probate matters:
- a. Abstract of Judgment
  - b. Affidavit re Real Property of Small Value
  - c. Bonds
  - d. Estate Planning Documents
  - e. Wills and Codicils
  - f. Writs
- (10) In Family matters:
- a. Judgments
  - b. Notice of Entry of Judgment
  - c. Abstract of Judgment
  - d. Ex Partes / Contempts
  - e. Opposition to Commissioner
  - f. Writs
- (11) In Small Claims matters:
- a. Any document that needs to be issued
  - b. Abstracts of Judgment
  - c. Writ of Execution
  - d. Subpoenas
  - e. Certificate of Facts -DL30

**Which EFSPs can I use to e-file?**

A list of EFSPs may be found at: <http://www.odysseyefileca.com/service-providers.htm>.  
E-filing must be conducted through one of these providers.

**How do I sign a document I have e-filed?**

Please review [Rule 2.257](#) for the requirements concerning electronic signatures.

**What are the filing hours for e-filing?**

Documents may be filed 24 hours a day. Any document received before 11:59:59 p.m. on a court day will be deemed filed that day. Documents filed after 11:59:59 p.m. will be deemed filed the next court day if accepted. Any document received electronically on a non-court day (e.g., weekends and court holidays) is deemed by Rule of Court to be filed on the next court day if accepted.

**What if I file a document after 11:59:59 and it was my last day to file?**

You will need to seek appropriate relief from the judicial officer, if available. E-filing does not alter any filing deadlines.

### **How long does it take for the Court to process an e-filed document?**

Processing time will vary depending on the type and size of the filing. The Court processes electronic filings from 8:00 a.m. through 4:00 p.m. Monday through Friday, excluding holidays.

### **What happens if my e-filed document is rejected?**

You will receive a reason for the rejection. You must correct and resubmit the document via e-filing.

### **What are common reasons for rejecting an e-filing?**

Some reasons an e-filing may be rejected:

1. You did not submit documents as separate PDFs in the same transaction/envelope. In other words, you combined multiple documents as a single filed document.
2. You input information in data fields that does not match the document image or is otherwise incorrect (e.g., selecting the incorrect Filing Document Name).
3. You input the incorrect case type.
4. An incorrect court location is selected.
5. The submission is untimely.
6. Documents are not text searchable and/or not bookmarked when required.  
*NOTE:* The Rules of Court require that an e-filed document be text searchable when technologically feasible without impairment of the document's image and, except as to self-represented parties, bookmarked.

See Section II (Technical Questions) for more information on envelopes, bookmarks, and other terms used here.

### **Do I consent to electronic service when I e-file?**

Yes. Parties required to e-file documents agree to accept service electronically at the email address provided. Self represented litigants and others exempt from e-filing must affirmatively consent to accept electronic service.

### **Does the Court electronically serve documents?**

No. Contact your EFSP for electronic service options. EFSPs offer this service for a fee.

**Do I need to submit a proof of service if I electronically serve?**

Yes. See [Rule 2.251\(j\)](#).

**Is there a cost to e-file?**

Yes. The system will automatically collect the Court's processing fee and the fee of the EFSP at the time of filing. For the Court's fees related to electronic filing, please see <https://www.cc-courts.org/fees/fees.aspx>. The Court has no ability to adjust the fees of EFSPs. The Court cannot adjust its own processing fees unless a judge has granted a fee waiver.

**How should I submit my motion or supporting documents?**

Motions and supporting documents may all be included in the same transaction or envelope. (See Section II, Technical Questions, for explanation of these terms.) But each separate document must be submitted as a separate PDF within the envelope. Combining them all into a single PDF document will result in rejection. Documents must be in PDF format.

**Should proposed orders be submitted with the motion in the same envelope?**

Proposed orders may be included as a separate PDF in the same envelope. However, proposed orders after hearing should be emailed to the department in Microsoft Word to enable the judge to edit the order.

Note that Family Law judgments submitted for Court approval must be submitted in hard copy.

**Is fax-filing still accepted in e-file cases?**

No.

**Can I file a complaint or petition with a fee waiver application?**

Yes, the initiating document and fee waiver application will be processed at the same time. They may be submitted in the same envelope.

**Do I have to pay fees if I am applying for a fee waiver?**

No. However, if the fee waiver application is ultimately denied, you will receive notice of the denial, and you will then have 10 days to submit payment of the required fees. If payment is not received in 10 days, the Court will strike the filing.

**How do I e-file a motion to file a document conditionally under seal?**

The motion to file a document under seal must be e-filed with the **redacted** version of documents proposed to be filed under seal. (Parties must take care to correctly redact all documents so that redacted text is not viewable. The Court is not responsible for errors in redaction.)

The **unredacted copies** of documents which the party seeks to file under seal should not be e-filed. They should be attached to a conformed copy of the electronically filed motion or application and then submitted directly to the courtroom.

**Can I e-file a document under seal?**

Where a judicial officer has ordered that a document be filed under seal, those documents must be filed electronically (unless otherwise exempt from e-filing). The responsibility to accurately designate the documents as sealed at the time of e-filing is entirely that of the filing party.

Where only portions of a document are subject to a sealing order, the e-filed document shall contain the **redacted** version. (Parties must take care to correctly redact all documents so that redacted text is not viewable. The Court is not responsible for errors in redaction.) The **unredacted copies** should be attached to a conformed copy of the electronically filed motion or application and then submitted directly to the courtroom.

**Do I need to mark new unlawful detainer filings as “confidential” since they are sealed by statute (e.g., Code of Civil Procedure section 1161.2)?**

No. Please **do not** mark such filings as confidential. The system automatically seals these filings. Only mark documents in unlawful detainer filings as “confidential” if they are confidential for some other reason.

**Can parties e-file stipulations?**

Yes.

**Can parties e-file stipulated judgments with notarized signature(s)?**

Yes.

**When I have multiple documents to file in a single matter, some that must be e-filed and some that cannot be e-filed, how do I file them?**

The document(s) subject to e-filing should be e-filed, and the document(s) not subject to e-filing should be filed in hard copy.

**Do I need to submit courtesy copies of e-filed documents?**

Not unless a judge specifically requests courtesy copies.

**When will e-filing be available for other case types?**

The Court will announce e-filing in other case types as they become available for e-filing.

**When are filed documents available to the public?**

Documents that are made available to the public pursuant to applicable law will be made available upon approval by the Court.

**II. Technical Requirements and Questions**

**What is an “electronic envelope”?**

An “electronic envelope” is a transaction through the EFSP for submitting documents to the court for filing and processing. It may contain one or more PDF documents for filing. Think of it as the electronic version of a large physical envelope into which all the documents to be filed are placed.

**What is a “Filing Document Name”?**

A “Filing Document Name” is the type of filing (e.g., complaint, answer, motion, etc.). The EFSP uses it to properly designate the document upon submission. The Filing Document Name also determines the fee. It is extremely important to use the correct Filing Document Name and to provide additional details in the Filing Description section. If you cannot find your appropriate Filing Document Name, you must use the one that most closely describes your filing, and provide further details in the Filing Description section.

**What is a “lead document”?**

In filings that contain multiple documents, the “lead document” is the most important one; often this is the one that designates the nature of the filing. For most motions, this would be the motion itself (as opposed to the memorandum of points and authorities, supporting declaration, etc.) Properly designating the lead document is essential for the Court to process the filing and direct it to the appropriate department.

### **What file formats should I use for documents?**

Documents must be submitted in PDF format. Attempting a filing in any other format will result in rejection.

### **Must my filing be submitted in text-searchable PDF?**

Generally, yes. Documents must be text-searchable when technologically feasible without impairment of the document's image.

### **What are bookmarks, and are they required?**

Bookmarks are tools within PDFs that designate specific points of interest within a document. Self-represented parties are exempt from bookmarking requirements. Otherwise, attachments to primary documents must be bookmarked. Examples include:

- Depositions
- Declarations
- Exhibits (including exhibits to declarations)
- Transcripts (including excerpts within transcripts)
- Points and Authorities
- Citations
- Supporting Briefs

Bookmarks must link to the first page of each exhibit/document and must include bookmark titles; must briefly describe the exhibit/document; and where applicable, must identify the exhibit number or letter. Particularly in filings with a large number of exhibits, bookmarking each exhibit is essential to allow the Court to efficiently maneuver through documents.