

# 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.odysseyfileca.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. It varies by court. Please review the list of Courts accepting e-filings section at <http://www.odysseyFileCA.com> for information on specific courts.
- b. See Santa Cruz Superior Court Local Rule 1.3.

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

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

#### **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. Santa Cruz Superior Court accepts filings during normal business hours, 8:00 a.m. – 5:00 p.m. Monday through Friday excluding court holidays, see Local Rule 1.3.

**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 they do so.

**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.odysseyfileca.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. The filing must be received by the court by 5:00 p.m., as indicated in Local Rule 1.3.01(d) Keep in mind that some of the EFSP companies have a cut off of 4:45p.m. for same day processing because of the time it takes for the envelope to be submitted and received by the court. If a person hits submit on their computer at 4:55p.m. it may not be received by the court until 5:01p.m. which would make it a next day filing.

**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.) Can you e-file ex parte documents?**

- a. Ex parte documents can be e-filed, but we will also take hard copies.

## **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.

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#### 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.

## 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 <http://www.santacruzcourt.org/sites/default/files/images/Statewide%20Civil%20Fee%20Schedule%20eff%20101015%20-%20KG.pdf> . 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 \$3.50. This is subject to change.
- e. *Payment service fee*: A payment service fee is assessed to cover the credit card processing fees. The current fee is 3%, this number can fluctuate quarterly.
- f. *eCheck Fee*: The fee is \$.25.

#### 2.) Do I need to include the court reporter fee when e-filing?

- a. Yes. Filings submitted electronically will be rejected if they are submitted without all the required filing fees. This includes the \$30 court reporter fee required in Civil and Probate cases for any hearing initiated by a party such as a civil motion or probate petition (this does not apply to Family Law matters). For additional information on the court reporter fee please see Government Code 68086(a) or the Court Reporter Fee (FAQ) located on the left hand side of Civil Division page under related links.

## 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

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added through electronic filing that already exist on the case the clerk has to 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 have 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 as 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. 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, the document can be electronically filed in separate batches but please call the court to let us know that this is going to happen first so we can monitor and filings are not rejected in error.

### **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.

## Criminal

### **1) What is the standard turnaround on e-filing?**

- a. You should receive an email response the same day depending on when the filing is submitted.

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

- a. You will receive an email from the clerk's office that same day or later depending on when the filing is submitted.

**3) How can I contact the Clerk's Office if I have questions about an e-filing?**

- a. Please call 831-420-2250. We ask that you sue this number sparingly and only when absolutely necessary.

**4) What email address shall we use to serve the DA's Office?**

- a. The DA has informed us that filers should 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)

**5) What document types are supported by e-filing?**

- a. Most e-filing services support both PDF and Word document types. PDF is highly recommended because it is generally non-editable.

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

- a. Per California Rule of Court 2.257 documents may be submitted using a /s or typing the person's name.

**7) 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.