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SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

DEC 21 2021

V. Magaña

SUPERIOR COURT OF CALIFORNIA

COUNTY OF RIVERSIDE

IN RE RIVERSIDE SUPERIOR COURT – MANDATORY ELECTRONIC FILING FOR CIVIL	GENERAL ORDER 2022-1

As of January 1, 2022, the Riverside County Superior Court mandates electronic filing of documents in Unlimited Civil, Limited Civil, and Unlawful Detainer cases by litigants represented by attorneys. (Cal. Rules of Court, rule 2.253(b).) Self-represented litigants in small claims and other civil matters may use electronic filing but are not required to do so. All electronically filed documents are subject to the following:

1) DEFINITIONS

a) "Bookmark" A bookmark is a PDF document navigational tool that allows the reader to quickly locate and navigate to a designated point of interest within a document.

b) "Efiling Portal" The official court website includes a webpage, referred to as the eFiling portal, that gives litigants access to the approved Electronic Filing Service Providers.

c) "Electronic Envelope" A transaction through the electronic filing service provider for submission of documents to the Court for processing. An envelope may contain one or more PDF documents.

d) "Electronic Filing" Electronic Filing (eFiling) is the electronic transmission to a Court of a document in electronic form. (Cal. Rules of Court, rule 2.250(b)(7).).

e) "Electronic Filing Service Provider" An Electronic Filing Service Provider (EFSP) is a person or entity that receives an electronic filing from a party for retransmission to the Court. In the submission of filings, the EFSP does so on behalf of the electronic filer and not as an agent of the Court. (Cal. Rules of Court, rule 2.250(b)(8).)

f) "Electronic Signature" For purposes of this order and in conformity with Code of Civil Procedure section 17, subdivision (b)(3), section 34, and section 1010.6, subdivision (b)(2), Government Code section 68150, subdivision (g), and California Rules of Court, rule 2.257, the term "Electronic Signature" is generally defined as an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record.

g) "Hyperlink" An electronic link providing direct access from one distinctively marked place in a hypertext or hypermedia document to another in the same or different document.

h) "Lead Document" For purposes of this order, the term 'lead document' is any document in which a first paper fee can be collected.

i) "Portable Document Format" A digital document format that preserves all fonts, formatting, colors and graphics of the original source document, regardless of the application platform used.

2) MANDATORY ELECTRONIC FILING

a) Trial Court Records

Pursuant to Government Code section 68150, trial court records may be created, maintained, and preserved in electronic format. Any document that the Court receives electronically must be clerically processed and must satisfy all legal filing requirements in order to be filed as an official court record (Ca. Rules of Court, rules 2.100, et seq., 2.253(b)(6) & 2.256(b)).

b) Represented Litigants

Pursuant to California Rules of Court, rule 2.253(b), represented litigants are required to electronically file documents with the Court through an approved electronic filing service provider.

c) Approved Electronic Filing Service Providers

The list of approved electronic filing service providers is available on the Court's website at https://www.riverside.courts.ca.gov/FormsFiling/EFiling/eFiling-service-providers.php.

3) EXEMPT LITIGANTS

a) Pursuant to California Rules of Court, rule 2.253(b)(2), self-represented litigants are exempt from mandatory electronic filing requirements.

b) Pursuant to Code of Civil Procedure section 1010.6, subdivision (d)(3) and California Rules of Court, rule 2.253(b)(4), any party may make application to the Court requesting to be excused from filing documents electronically and to be permitted to file documents by conventional means if the party shows undue hardship or significant prejudice.

4) EXEMPT FILINGS

a) The following documents shall not be filed electronically:

i. Any ex parte application that is filed concurrently with a new complaint;

ii. Bonds and undertakings;

iii. Trial documents under Local Rule 3401;

iv. Exhibits to be offered at any trial or evidentiary hearing;

v. New Judicial Council Coordinated Proceedings (JCCP) cases. Subsequent filings in JCCP cases are permitted;

vi. Harassment proceedings requesting the minor's information be confidential;

vii. Mandatory Settlement Conference Briefs;

viii. Notices of Appeal and any subsequent appeals documents;

ix. Small Claims Notice of Appeal and Small Claims Notice of Appeal as to the Denial of the Motion to Vacate Judgment;

x. Writ Returns;

xi. Media Request to Photograph, Record, or Broadcast;

xii. Request to file new litigation by vexatious litigants. Motions to declare a litigant vexatious are permitted;

xiii. Subpoenaed records;

xiv. Administrative records;

xv. Sealed documents; and

xvi. Documents submitted conditionally under seal. The actual motion or application shall

be electronically filed. A courtesy copy of the electronically filed motion or application to submit documents conditionally under seal must be provided with the documents submitted conditionally under seal.

b) Lodgments

Documents attached to a Notice of Lodgment shall be lodged and/or served conventionally in paper form. The actual document entitled, "Notice of Lodgment," shall be filed electronically.

5) ELECTRONIC FILING SYSTEM WORKING PROCEDURES

Electronic filing service providers must obtain and manage registration information for persons and entities electronically filing with the court.

6) TECHNICAL REQUIREMENTS

a) Electronic documents must be electronically filed in PDF, text searchable format when technologically feasible without impairment of the document's image.

b) Any table of contents within any memorandum or brief must be bookmarked.

c) Documents attached to electronically filed documents shall be bookmarked pursuant to California Rules of Court, rule 3.1110(f)(4). Attachments that must be bookmarked include, but are not limited to, the following:

i) Memoranda of points and authorities;

ii) Declarations;

iii) Exhibits to pleadings, declarations, or other documents, such as transcripts of hearings or depositions, or excerpts thereof; and

iv) Proofs of service.

d) Electronic bookmarks must include both links to the first page of each bookmarked attachment and bookmark titles that identify the bookmarked item .

e) Use of hyperlinks within documents (including attachments and exhibits) is strongly encouraged.

f) Multiple Documents

Each document filed concurrently with another document must be electronically filed as a separate digital PDF document. However, multiple separate PDF documents relating to one case can be uploaded in one envelope transaction.

g) Lead Documents

Lead documents must be submitted as a separate electronic envelope.

h) Writs and Abstracts

Writs and abstracts must be submitted as a separate electronic envelope.

i) Sealed Documents

If and when a judicial officer orders documents to be filed under seal, those documents must be filed on paper; the burden of accurately designating the documents as sealed at the time of electronic submission is the submitting party's responsibility.

j) Redaction

Pursuant to California Rules of Court, rule 1.201, it is the submitting party's responsibility to redact confidential information (such as using initials for names of minors, using the last four digits of a social security number, and using the year for date of birth) so that the information shall not be publicly displayed.

7) ELECTRONIC FILING SCHEDULE

a) Filed Date

i) Any document received electronically by the court between 12:00 a.m. and 11:59:59 p.m. shall be deemed to have been effectively filed on that court day if accepted for filing. Any document received electronically on a non-court day, is deemed to have been effectively filed on the next court day if accepted for filing. (Cal. Rules of Court, rule 2.253(b)(6); Code Civ. Proc. § 1010.6(b)(3).)

ii) Notwithstanding any other provision of this order, if a digital document is not filed in due course because of: (1) an interruption in service; (2) a transmission error that is not the fault of the transmitter; or (3) a processing failure that occurs after receipt, the Court may order, either on its own motion or by noticed motion , that the document be deemed filed and/or that the document's filing date conform to the attempted transmission date.

8) PROPOSED ORDERS

a) Proposed orders may be submitted electronically. The proof of service of the proposed order shall not be attached to the proposed order. Instead, the proof of service shall be submitted electronically as a separate document.

9) EX PARTE APPLICATIONS

a) If an ex parte application is filed electronically, the application and all documents supporting it

must be filed no later than 11:00 A.M. the court day before the ex parte hearing.

b) If an opposition to an ex parte application is being filed electronically, the opposition must be filed no later than 8:00 A.M. on the morning of the ex parte hearing. A courtesy copy of the opposition to the ex parte application must shall be sent to the departmental email address for the department in which the matter is set to be heard.

10) PRINTED COURTESY COPIES

a) When any statute, rule of court, or court order permits documents to be filed two or fewer days before the hearing, and the document is filed electronically on the last permissible day, a courtesy copy of the document shall be either sent to the departmental email address for the department in which the matter is set to be heard by 4:00 P.M. the same court day the document is filed. If the document is filed electronically after 4:00 P.M., the copy should be sent to the departmental email address or delivered to the courtroom by 8:30 A.M. the next court day.

11) WAIVER OF FEES AND COSTS FOR ELECTRONICALLY FILED DOCUMENTS

a) Fees and costs associated with electronic filing must be waived for any litigant who has received a fee waiver. (Cal. Rules of Court, rule, 2.258(b), Code Civ. Proc.§ 1010.6(d)(2).)

b) Fee waiver applications for waiver of court fees and costs pursuant to Code of Civil Procedure section 1010.6, subdivision (b)(6), and California Rules of Court, rule 2.252(f), may be electronically filed in any authorized action or proceeding.

12) SIGNATURES ON ELECTRONIC FILING

For purposes of this General Order, all electronic filings must follow California Rules of Court, rule 2.257.

This General Order applies to documents filed within the Civil Division of the Riverside County Superior Court. This General Order is effective as of January 1, 2022, and is to remain in effect until otherwise ordered by the Presiding Judge.

DATED: 12/21/21

JOHN M. MONTEROSSO
Presiding Judge