

## FAQ's for E-filing Documents at Superior Court County of Santa Barbara

Before e-filing, individuals should read and be familiar with Local Court Rule 1012 regarding mandatory e-filing. In addition, please also refer to California Rules of Court 2.250 through 2.261.

1. If my case has a future court date, where do I put that date when I'm e-filing?
  - a. You must **always put the next court date in the "Filing Description" field** when you are e-filing. That field is also used for further descriptions of the document being e-filed, so be sure to put the calendar date FIRST in the field – BEFORE any further description of the document being e-filed.
    - i. Select "Filing Code" and enter the appropriate code (e.g.: *Motion*).
    - ii. Select "Filing Description" and enter the calendar date, then the further description of the document, if needed (e.g.: 06/28/16 *For XYZ*).
2. Are e-filed documents automatically filed with the court upon receipt?
  - a. NO! A clerk must still review all documents submitted for filing before they are accepted and actually filed with the court.
3. What is an "envelope" in the e-filing world?
  - a. "Envelope" is the term for the submission that contains all of the documents that you are submitting at the same time on the same case.
  - b. Selecting "Start a New Case" or "File into Existing Case" will open an envelope.
4. What are the fees for e-filing?
  - a. Standard court filing fees, if there are any for the document(s) being submitted (for instance, \$435.00 initial filing fee), apply.
  - b. An e-file service fee of \$3.50 is charged
  - c. A payment service fee (bank/credit card processing fee) is charged
  - d. *If there is no standard filing fee for the document you are submitting*, the charges would be:
    - i. \$3.50 e-filing fee
    - ii. payment service fee (percentage charged by the bank, probably 3.5%)
    - iii. any fees charged by your EFSP (electronic filing service provider) – check with the EFSP's to determine whether they assess additional fees.
  - e. *If there is a filing fee for the document you are submitting* (for example, a Complaint), the fees will be:
    - i. \$435.00 standard California filing fee
    - ii. plus \$3.50 e-filing fee

- iii. plus payment service fee (percentage charged by the bank)
    - iv. any fees charged by your EFSP (electronic filing service provider) – check with the EFSP’s to determine if there are any additional fees.
  - f. The \$3.50 applies to the “envelope” you submit, regardless of the number of documents in the envelope. (But, remember the documents ***must all be for the SAME case!***)
5. What are the fees for law and motion filings in a Civil Unlimited/Limited matter?
    - a. The standard California filing fee applies to the motion (usually \$60.00 for the motion). Superior Court, County of Santa Barbara requires the additional fee of \$30.00 be included with ANY law and motion filing to provide for court reporting services. This fee is added using the dropdown menu “Add Optional Service.”
  6. What if I do not see the filing fee for the document that I am submitting?
    - a. After uploading your document, click the “Save Changes” button. A menu will appear for “Optional Services.” This menu will allow you to select necessary fees.
  7. How do I apply a fee waiver when I am submitting documents?
    - a. There may be instances when a fee that would normally be charged does not apply. While setting up your attorney account or firm account, add the payment option “Fee Waiver.” When submitting filings, you will be able to select “Waiver” from the “Payment Account” dropdown menu.
  8. When I file the initiating documents in a case (a complaint, petition, etc.), should I enter the defendants as being pro per (self-represented) since they don’t have an attorney yet?
    - a. NO. When a defendant/respondent files their first paper, their attorney information will be added by the defendant/respondent (or their attorney) at the time they submit their first paper.
  9. How do I submit multiple documents in the same envelope?
    - a. After uploading your first document, in the “Filings” section click the “Save Changes” button.
    - b. To add another document, click the “Add Another Filing” button. This process can be repeated for all documents you want to submit for that case.
    - c. Your documents must all be for the same case E-filing will generate an envelope number for you at the time you submit your documents.
  10. Where do I enter the full title of the document I am submitting?
    - a. In the “filing description” field, enter the full title of your document. Be sure you put any future court date at the BEGINNING of the name of the document, as described above.

- b. If the title of your document is complete in the filing code, do not duplicate the name in the “filing description” field.
  - c. Do not use *all* capital letters in the filing description field (i.e. Motion – yes! MOTION – no!)
    - i. Capital letters are used for the first letter of each word.
    - ii. Do not use capital lettering for prepositions, conjunctions or demonstratives.
11. If I don’t see the name of the document that I am trying to submit, what should I select?
- a. If no document code is not available for the document that you are submitting, you may use “Document – Other.” The e-filing clerk will be able to correct the name if necessary.
12. How do I enter party information in a(n):
- a. **Civil Unlimited/Limited/Family Law matter?**
    - i. If you are an attorney representing a client, there is no need to enter contact information in the field, as the contact information is linked to your attorney profile in the court’s records.
      - 1. Double-check the Bar number to be sure it is correctly entered.
    - ii. If you are representing yourself, place your contact information: name, address and phone number.
    - iii. Do NOT enter AKAs, DBAs, etc., and please use the standard upper/lower case format for proper names (i.e.: Jane Doe)
  - b. **Unlawful Detainer matter?**
    - i. If you are an attorney representing a client, there is no need to enter contact information in the field, as the contact information is linked to your attorney profile in the court’s records. ***BUT, you WILL need to enter the property address for the defendant(s) in their party field. There is no need to add party information for Doe defendants.***
      - 1. Double-check the Bar number to be sure it is correctly entered.
    - ii. If you are representing yourself, place your contact information: name, address and phone number.
  - c. **Probate matter?**
    - i. Complete the contact information for the Petitioner(s), even when they are represented by counsel. Make a party entry for the decedent, do not associate an attorney with the decedent.
      - 1. If you are an attorney, double-check the Bar number to be sure it is entered correctly.
  - d. **Guardianship or conservatorship matter?**
    - i. Complete the contact information for the petitioner(s), even when they are represented by counsel. Make a party entry for the proposed Ward or proposed Conservatee. Do not associate an

attorney with the Ward or Conservatee, unless the party is also the petitioner.

1. If you are an attorney, double-check the bar number to be sure it is entered correctly.

13. How do I indicate that I am the party submitting a document through e-filing?

- a. You must select the party by clicking on the “associate” field, then click your name as the filing party. If you select the incorrect name, you will have to click “disassociate” the incorrect party name, and then you will “associate” the proper party name.

14. What case category do I select to file restraining orders for harassment/elder abuse/school violence/workplace violence?

- a. These are filed under the Civil case category. These are NOT filed under the family law case type.

15. How do I send comments or instructions to the e-file clerk regarding processing my documents?

- a. In the “Process Notes” field, please enter any special/additional instructions needed for the e-filing clerk to properly handle your submission. Please do not submit cover letters for this purpose.

16. Can I lodge documents through e-filing?

- a. Yes. There is a document code for “Document, Lodged.” Then complete the name of your document in the “filing description” field, as needed.
- b. BE AWARE – when **original** documents are required by code to be filed (for example, wills or original account statements from a fiduciary) you can e-file the documents, but you **must** submit the *original* documents to be lodged with the court within 10 calendar days.

17. Do I e-file ex parte documents?

- a. Yes. Please be sure to allow ample time for the e-filing to be received and processed. For example, if you are responding to an ex parte that is on for 8:45 a.m., and you e-file your response at 8:30 a.m., there will not be enough time to process that document on to the bench officer. You would need to take your paper documents with you to the hearing and present them to the court at that time. If you e-file and time is short at all, you should bring courtesy copies with you.

18. How do I receive conformed copies of e-filed documents?

- a. The conformed copies will come back to you in one of two ways:
  - i. If the document can be received and filed without a judge’s signature (for example, a proof of service), when the document is accepted as filed, and has been Filed stamped, conformed copies are sent back to the FILER through the EFSP (e-filing service)

provider – there are currently three from which to choose – see the Court’s website for more information).

- ii. If the document is one that needs to be signed by a bench officer (an order or perhaps a judgment), then the Court will transmit the conformed copies, via email, to the FILER (that is, the email address used by the individual submitting the e-filing).

19. How long does it take for documents to be filed using e-filing?

- a. Depending on the nature of the document submitted, the time before the document is filed will vary. Your document *may* be filed the same day or it may take a week or more. (For instance, a proposed order will take longer to be filed than a proof of service.)

20. I represent myself in my case. I do not have a lawyer. Do I have to file documents through e-filing?

- a. Self-represented litigants (parties who represent themselves in cases) are NOT required to e-file, though the court encourages all parties to utilize e-filing.

21. When submitting a Judicial Council form that requires a judge’s signature to request a hearing, do I include the date, time and department on the document?

- a. Please do *not* include a date on the form. Be sure to include the time (usually 8:30), department and judicial officer (if space is provided for the judicial officer’s name). The date will be assigned by the court.

22. Can I submit multiple documents for the **same case** in one submission?

- a. Yes you can! ***BUT***, multiple documents can *only* be submitted in one submission (which is called an “envelope”) when they are for the SAME CASE. You cannot file multiple documents in one envelope if they are for DIFFERENT CASES. Each case must be submitted in a separate envelope (submission).
- b. Be aware that each **document** has a maximum size of 25mb. You may submit multiple documents that are 25 mb each.

23. If my document exceeds 25 mb, how do I e-file it?

- a. You will need to break the document into parts, and scan each part with a cover sheet. Be sure to upload the parts in consecutive order, as the order in which they are uploaded is the order in which the software will load the documents into Odyssey once they are accepted for filing.
- b. For example, your document is 30mb. You can split the document into 2 parts. Put a cover sheet on each part of the document, indicating what each part is, and upload them part 1 first, then part 2.

24. How do I obtain certified copies through e-filing?

- a. Certified copies should not be requested through e-filing. Please contact the Records Unit at the appropriate court location to request certified copies.
25. On subsequent filings, do I need to “add parties” that have already been entered?
- a. NO – do not add a party that has already been added. There is a button to click that says “Add Another Party” but if the parties are already there, do NOT add them again.
26. If I am filing a confidential document, should I change the security status from the security drop-down?
- a. NO – NEVER change the security for a document you are submitting. The e-filing clerk will change the security if it is necessary.
27. Do I enter parties in civil cross-complaints?
- a. Yes. Only the party initiating the cross-complaint should add the party names. The names are entered one time and one time only.