

FILED
Superior Court of California
County of Los Angeles

MAR 27 2017

Sherri R. Carter, Executive Officer/Clerk

By Rizalinda Mina, Deputy
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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

MANDATORY ELECTRONIC FILING) GENERAL ORDER
FOR PROBATE RECORDS)

WHEREAS pursuant to Government Code § 68150, trial court records may be created, maintained, and preserved in electronic format and in compliance with California Rules of Court, Rule 2.253(b)(7) requiring that any document that the court receives electronically must be clerically processed.

IT IS SO ORDERED that effective June 5, 2017 Los Angeles Superior Court will mandate electronic filing of all documents filed in the Probate Division subject to the following:

a) Definitions

- 1) **“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).)
- 2) **“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 submission of filings, the electronic filing service provider 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).)
- 3) **“Efiling Portal”** The official court website includes a webpage, referred to as the efiling portal, gives litigants access to the approved electronic filing service providers.
- 4) **“Portable Document Format”** (PDF) signifies a digital document format that preserves all fonts, formatting, colors and graphics of the original source document, regardless of the

1 of the application platform used.

- 2 5) **“Bookmark”** A bookmark is a PDF document navigational tool that allows the reader to
 3 quickly locate and navigate to a designated point of interest within a document.
- 4 6) **“Electronic Envelope”** A transaction through the electronic service provider for
 5 submission of documents to the court for processing which may contain one or more pdf
 6 documents attached.
- 7 7) **“Electronic Signature”** For purposes of these local rules and in conformity with Code of
 8 Civil Procedure § 17 subd. (b)(3), § 34, and § 1010.6, subd. (b)(2), Government Code, §
 9 68150, subd. (g),, and California Rules of Court, rule 2.257. The term “electronic
 10 signature” is generally defined as an electronic sound, symbol, or process attached to or
 11 logically associated with an electronic record and executed or adopted by a person with
 12 the intent to sign the electronic record.

13 **b) *Mandatory Electronic Filing***

14 The Court will issue a Public Notice with effective dates the Court requires parties to
 15 electronically file documents through one or more approved electronic filing service providers. Public
 16 Notices containing effective dates and the list of electronic filing service providers shall be available at
 17 the Court’s website, at www.lacourt.org.

18 1) Exempt Litigants

- 19 A. Pursuant to Cal. Rules of Court, rule 2.253(b)(2), self-represented litigants are
 20 exempt from mandatory electronic requirements.
- 21 B. Pursuant to Code of Civ. Proc., § 1010.6, subd. (d)(1)(C), and Cal. Rules of
 22 Court, rule 2.253(b)(4), any party may make application to the Court requesting
 23 to be excused from filing documents electronically and be permitted to file
 24 documents by conventional means if the party shows undue hardship or
 25 significant prejudice.

26 2) Exempt Filings

27 The following filings may not be filed electronically:

- 28 A. Peremptory Challenges, or Challenges for Cause of a Judicial Officer;

1 B. Testamentary instruments (wills and codicils), letters, original trust documents,
2 and bond/undertaking documents;

3 C. Trial and Hearing Exhibits;

4 D. Documents filed in Civil or Family Law cases that are related for handling in
5 the Probate Division.

6 3) Lodgments

7 Documents attached to a Notice of Lodgment may be lodged and served conventionally
8 in paper form. The actual document entitled "Notice of Lodgment" shall be filed
9 electronically.

10 **c) *Electronic Filing System Working Procedures***

11 1) Electronic filing service providers must obtain and manage registration information for
12 persons and entities electronically filing documents with the court.

13 2) Technical Requirements

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15 A. Documents must be electronically filed in PDF, text searchable format.

16 B. Declarations, Proofs of Service, and Exhibits to documents must be text
17 searchable when technologically feasible without impairment of the document's
18 image and must be bookmarked within the document.

19 C. Digital documents containing exhibits must comply with California Rules of
20 Court, rule 3.1110(f)(4).

21 3) Attachments to Probate Accountings shall be bookmarked exhibits.

22 4) Each document must be electronically filed as separate digital PDF document.

23 5) Multiple documents relating to one case can be uploaded in one envelope transaction.

24 6) Writs and Abstracts must be submitted as a separate electronic envelope.

25 7) Sealed and conditionally under seal documents pursuant to California Rules of Court,
26 Rule 2.551, et seq. shall be filed electronically; the burden of accurately designating the
27 documents as sealed or conditionally under seal at the time of submission is the party's
28 responsibility.

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

5 **d) *Electronic Filing Schedule***

- 6 1) Pursuant to Government Code §68150, trial court records may be created, maintained,
7 and preserved in electronic format. Any document that the court receives electronically
8 must be clerically processed and must satisfy legal filing requirements in order to be
9 filed as an official court record (California Rules of Court, rule 2.253(b)(7)).
- 10 2) Any document received electronically before midnight on a court day is deemed to
11 have been effectively filed on that court day if accepted for filing as indicated in
12 Section 1, and any document received electronically after midnight is deemed to have
13 been effectively filed on the next court day. (Cal. Rules of Court, rule 2.253(b)(7)).
- 14 3) Ex parte applications and all documents in support thereof must be electronically filed
15 no later than 10:00 a.m. the court day before. Any written opposition to Ex Parte shall
16 be electronically filed by 8:30 a.m. the day of the ex parte application. If written
17 opposition is electronically filed after 4:00 p.m., a printed courtesy copy is required.
- 18 4) Except for ex parte documents as described in subsection 3 of this section, a printed
19 courtesy copy is required and shall be delivered to the assigned courtroom on the same
20 day a document is electronically filed for documents submitted within 2 court days
21 from a scheduled hearing date.
- 22 5) Notwithstanding any other provisions of this rule, if a digital document is not filed in
23 due course because of an interruption in service, because of a transmission error that is
24 not the fault of the transmitter, or because of a processing failure that occurs after
25 receipt, the court may order that the document's filing date conform to the attempted
26 transmission date, either on its own motion or by noticed motion submitted with a
27 declaration for court consideration.
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1 **e. Waiver of Fees and Costs for Electronically Filed Documents**

- 2 1) Fees and costs associated with electronic filing must be waived for any litigant who has
3 received a fee waiver (Cal. Rules of Court, rules 2.253(b)(6), 2.258(b)).
4 2) Pursuant to Code Civ. Proc., § 1010.6, subd. (b)(6), and Cal. Rules of Court, rule
5 2.252(f), applications for waiver of court fees and costs may be electronically filed in
6 any authorized action or proceeding.

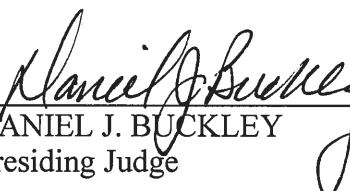
7 **f. Signatures on Electronic Filings**

- 8 1) For purposes of these local rules all electronic filings shall be in compliance with
9 California Rules of Court, rule 2.257.

10 This General Order applies to documents filed with the Probate Division of the Superior Court.

11 This General Order is to remain in effect until otherwise ordered by the Presiding Judge.

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15 DATED: March 27, 2017


DANIEL J. BUCKLEY
Presiding Judge