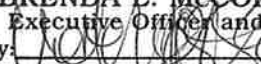


DEC 06 2024

BRENDA L. McCORMICK
Executive Officer and Clerk
By: , Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA

**ADMINISTRATIVE ORDER RE:
ELECTRONIC FILING FOR UNLIMITED AND
LIMITED CIVIL, PROBATE AND SMALL
CLAIMS CASE TYPES**

**ADMINISTRATIVE ORDER
NO. 24.04**

Beginning December 9, 2024, the Ventura Superior Court will implement permissive electronic filing (“eFiling”) of documents in Unlimited and Limited Civil, Probate, and Small Claims case types. This Administrative Order is intended to address certain eFiling issues until such time that the Court has the opportunity to adopt local rules concerning the same.

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) *"Electronic Envelope"* - A transaction through the Electronic Filing Service Provider (EFSP) for submission of documents to the Court for processing. An envelope may contain one or more PDF documents.
- c) *"Electronic Filing"* - Electronic Filing (eFiling) is the electronic transmission to the Court of a document in electronic form. (See Cal. Rules of Court, rule 2.250(b)(7).).

- 1 d) "*Electronic Filing Service Provider*" - An Electronic Filing Service Provider (EFSP)
2 is a person or entity that receives an electronic filing from a party or other person
3 for retransmission to the Court. (See Cal. Rules of Court, rule 2.250(b)(8).) For
4 the submission of filings, the EFSP does so on behalf of the electronic filer and
5 not as an agent of the Court. (*Ibid.*)
- 6 e) "*Electronic Signature*" - For purposes of this order and in conformity with Code of
7 Civil Procedure §17(b)(3), §34, and §1010.6(b)(2), Government Code §68150(g),
8 and California Rules of Court, rule 2.257, the term "Electronic Signature" is
9 generally defined as an electronic sound, symbol, or process attached to or
10 logically associated with an electronic record and executed or adopted by a
11 person with the intent to sign the electronic record.
- 12 f) "*Hyperlink*" - An electronic link providing direct access from one distinctively
13 marked place in a hypertext or hypermedia document to another in the same or
14 different document.
- 15 g) "*Lead Document*" – The lead document is the most important document in the
16 electronic envelope, as it affects the priority and timing for processing by the Court
17 and ensures that the document is directed to the appropriate workflow. The lead
18 document can be a case-initiating document (e.g., complaint or petition), a moving
19 document (e.g., motion), or a responsive document (e.g., answer or response).
20 Only one lead document can be submitted in each electronic envelope.

21 **2) GENERAL INFORMATION**

- 22 a) **Mandatory Filing / Exemption for Self-Represented Litigants / Undue Hardship**
23 The Court will issue a Public Notice identifying a future date when eFiling will
24 become mandatory for a party represented by an attorney. Self-represented
25 litigants will be exempt from the mandatory eFiling requirement. Pursuant to
26 Code of Civil Procedure §1010.6(g)(3), and California Rules of Court, rule
27 2.253(b)(4), any party may make application to the Court requesting to be
28

1 excused from filing documents electronically and be permitted to file documents
2 by conventional means if the party shows undue hardship or significant
3 prejudice.

4 b) Approved Electronic Filing Service Providers

5 The list of approved electronic filing service providers is available on the Court's
6 website at www.ventura.courts.ca.gov/eFiling.html.

7 3) INELIGIBLE FILINGS

8 a) The following documents shall not be filed electronically:

- 9 i. Trial or Evidentiary Hearing related documents, including exhibits
10 ii. Mandatory Settlement Conference Statements/Briefs
11 iii. Bonds/Undertakings
12 iv. Subpoenaed documents
13 v. Administrative records
14 vi. Subpoenas for Out of State Actions
15 vii. Bench Warrants>Returns
16 viii. Civil Harassment Restraining Order (i.e., Workplace Violence, Elder
17 Abuse, etc.). Restraining order filings can be submitted by email to:
18 EmergencyRestrainingOrdersFamilyandCivil@ventura.courts.ca.gov
19 ix. Documents attached to a Notice of Lodging are to be submitted in paper
20 form. The actual document entitled, "Notice of Lodging," may be filed
21 electronically.
22 x. Documents submitted conditionally under seal. The actual motion must
23 be e-Filed. However, the documents the party seeks to file under seal
24 may be submitted by conventional means with a conformed copy of the
25 e-Filed motion attached.
26 xi. Will, Codicil or Testamentary Trust (including Estate Planning
27 Documents Deposited)
28

- xii. Writ Returns
- xiii. Affidavit Re: Real Property of Small Value
- xiv. Menacing Dog: Notice of Appeal – Administrative Hearing
- xv. Notice of Impoundment of Vehicle and Notice of Hearing – Impoundment of Vehicle
- xvi. Out of State or Out of County Abstracts of Commissions submitted with an Application and Order for Appearance and Examination
- xvii. Notice of Appeal of Labor Commissioner Award
- xviii. Notice of Appeal – Civil Citation
- xix. Safe at Home-Name Change, including Judicial Council Form NC-410 (“Application to File Documents Under Seal in Name Change Proceeding under Adress Confidentiality Program (Safe at Home)) and Judicial Council Form NC-400 (Confidential Cover Sheet- Name Change Proceeding Under Address Confidentiality Program (Safe at Home)).
- xx. Request to Pay Judgment to Court (Small Claims)
- xxi. Media Request to Photograph, Record, or Broadcast
- xxii. Any order with an original judicial officer’s signature

4) ELECTRONIC FILING SYSTEM WORKING PROCEDURES

Electronic filing service providers (EFSPs) must obtain and manage registration information for persons and entities electronically filing with the Court.

5) TECHNICAL REQUIREMENTS

- a) Electronic documents must be eFiled in PDF, in text searchable format.
- b) Any table of contents within any document 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. Points and authorities;

- 1 ii. Declarations;
- 2 iii. Depositions;
- 3 iv. Exhibits (including exhibits to declarations);
- 4 v. Transcripts (including excerpts within transcripts); and
- 5 vi. Proofs of service.

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

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

10 f) Multiple Documents

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

14 g) Lead Documents

15 Lead documents must be submitted in a separate electronic envelope.

16 h) Writs and Abstracts

17 Writs and abstracts must be submitted in a separate electronic envelope.

18 i) Sealed Documents

19 If a judicial officer orders documents to be filed under seal, those documents must
20 be filed on paper. Document submitted conditionally under seal must also be on
21 paper. All documents to be filed/conditionally filed under seal must conform to
22 California Rules of Court, rule 2.551.

23 j) Redaction

24 Pursuant to California Rules of Court, rule 1.201, it is the submitting party's
25 responsibility to redact confidential information (e.g., by using initials for names of
26 minors, using only the last four digits of a social security number, or using only
27 the year for date of birth) so that the confidential information shall not be publicly
28

1 displayed.

2 **6) ELECTRONIC FILING SCHEDULE**

3 **a) Trial Court Records**

4 Pursuant to Government Code §68150, trial court records may be created,
5 maintained, and preserved in electronic format. Any document that the Court
6 receives electronically must be clerically processed and must satisfy all legal
7 filing requirements to be filed as an official court record (Cal. Rules of Court, rules
8 2.100, et seq., 2.253(b)(6) & 2.256(b)).

9 **b) Filed Date**

- 10 i. Any document received electronically by the court between 12:00 a.m.
11 and 11:59:59 p.m. shall be deemed to have been effectively filed on that
12 court day if accepted for filing. Any document received electronically on
13 a non-court day is deemed to have been effectively filed on the next court
14 day if accepted for filing. (Cal. Rules of Court, rule 2.253(b)(6); Code Civ.
15 Proc. §1010.6(a)(4).)
- 16 ii. Notwithstanding any other provision of this order, if a digital document is
17 not filed in due course because of: (1) an interruption in service; (2) a
18 transmission error that is not the fault of the transmitter; or (3) a
19 processing failure that occurs after receipt, the Court may order, either
20 on its own motion or by noticed motion, that the document be deemed
21 filed and/or that the document's filing date conform to the attempted
22 transmission date.

23 **7) PROPOSED ORDERS**

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

1 8) WAIVER OF FEES AND COSTS FOR ELECTRONICALLY FILED DOCUMENTS

2 a) Fees and costs associated with electronic filing must be waived for any litigant
3 who has received a fee waiver. (Cal. Rules of Court, rule, 2.258(b), Code Civ.
4 Proc. §1010.6(e)(6).)

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

8 9) SIGNATURES ON ELECTRONIC FILING

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

11
12 **THIS ADMINISTRATIVE ORDER IS IN EFFECT UNTIL OTHERWISE ORDERED BY**
13 **THE PRESIDING JUDGE.**

14 **IT IS SO ORDERED.**

15
16 DATED: DECEMBER 6, 2024



17
18 Kevin G. DeNoce
19 Presiding Judge
20 Superior Court of California,
21 County of Ventura