

2.2 ELECTRONIC FILING AND SERVICE

(a) Authority and Compliance

This rule governs permissive and mandatory electronic filing and service of documents in the Superior Court of California, County of Sutter, as authorized by California Code of Civil Procedure section 1010.6 and California Rules of Court, Rules 2.250 *et seq.* Unless this rule provides otherwise, parties filing and serving documents electronically shall comply with all requirements and conditions for electronic filing and service set forth in California Code of Civil Procedure section 1010.6 and California Rules of Court, Rules 2.250 *et seq.*

(b) Mandatory Electronic Filing and Service

Documents filed in all civil cases, probate cases, and family law cases must be filed and served electronically. Self-represented parties and non-parties are exempt from the mandatory electronic filing and service requirements, but are encouraged to participate voluntarily. An attorney representing a party may request to be excused from the mandatory electronic filing and service requirement by showing undue hardship or significant prejudice. An attorney requesting to be excused shall file with the Clerk of the Court and serve on all parties a Request for Exemption from Mandatory Electronic Filing and Service (Judicial Council Form EFS-007) with a Proposed Order (Judicial Council Form EFS-008). An attorney who files and serves a Request for Exemption from Mandatory Electronic Filing and Service shall be served with documents in paper form until the Court rules on the Request for Exemption. Undue hardship or significant prejudice does not include the inability to pay fees for electronic filing. Self-represented parties, non-parties, and attorneys excused from electronic filing must be served conventionally.

(c) Permissive Electronic Filing and Service

Documents filed in the specific permissive filing case types listed on the court's website at www.suttercourts.com may be filed and served electronically.

(d) Electronic Filing Requirements

All documents electronically filed, whether mandatory, permissive, by court order, or by stipulation of parties, must be electronically filed with the court using one of the court's approved electronic filing service providers, and must comply with the court's electronic filing requirements. Electronic filing requirements, including a list of approved electronic filing service providers, are available on the court's website at www.suttercourts.com and in hard copy at the clerk's office.

(e) Electronic Filing Acceptance and Deadlines

No document transmitted electronically is deemed filed unless it is accepted for filing by the Clerk. An electronically filed document shall be deemed filed on the date the document was submitted to the court if the submission occurred during the normal business hours of the clerk's office. An electronically filed document submitted after normal business hours of the clerk's office shall be deemed filed on the next business day.

(f) Electronic Filing Fee Waiver

A party who has received a fee waiver is not required to pay any fee for electronic filing and service. A party who has not already received a fee waiver may request a waiver of the fees for electronic filing and service by filing with the court an Application for Waiver of Court Fees and Costs (Judicial Council Forms FW-001 and FW-002).

(g) Redaction of Confidential and Personal Information

Counsel and parties are solely responsible for redacting personal identifiers and privileged and/or confidential information. The Clerk will not review documents for compliance. The Court may impose sanctions for violation of these requirements.

(h) Documents Excepted/Excused from Electronic Filing

A list of documents that shall not be filed electronically is included in the court's electronic filing requirements, available on the court's website at www.suttercourts.com and in hard copy at the clerk's office.

A party may be excused from filing any particular document or exhibit electronically if it is not available in electronic format and it is not feasible for the party to convert the document or exhibit to electronic format, or it may not be comprehensively viewed in an electronic format, including but not limited to exhibits that are real objects. Such a document or exhibit may be manually filed with the Clerk of the Court and served upon the parties by conventional non-electronic means. A party manually filing such a document or exhibit shall file electronically and serve a Notice of Manual Filing specifically describing the document or exhibit, and setting forth the reason the document or exhibit cannot be filed electronically.

During trial, a party may submit to the courtroom clerk and serve by hand any documents, as long as the documents are also filed electronically before the close of business no later than the following court day.

(i) Obligation to Keep Information Current

A party whose electronic notification address changes while the action or proceeding is pending must promptly file a Notice of Change of Address with the court electronically and must serve this notice on all other parties or their attorneys of record. (*Effective 7/01/17*)