



# SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

## ELECTRONIC FILING REQUIREMENTS (PROBATE)

This document includes the San Diego Superior Court's electronic filing (e-filing) requirements for probate. These requirements are issued pursuant to Cal. Rules of Court, rules 2.250 et seq., Code Civ. Proc. § 1010.6, and San Diego Superior Court General Order of the Presiding Department: In Re Procedures Regarding Electronically Imaged Court Records, Electronic Filing and Access to Electronic Court Records in Civil and Probate Cases.

Documents that are determined to be unacceptable for e-filing by the court due to e-filing system restrictions or for failure to comply with these requirements may be rejected.

### **MANDATORY AND PERMISSIVE E-FILING**

Effective April 15, 2021, filings submitted by attorneys for represented parties in all probate actions must be submitted electronically through one of the court's approved electronic filing service providers ("EFSPs"), with limited exceptions for certain documents (see below list of ineligible documents). E-filing is also encouraged, but not mandated, for self-represented litigants in probate actions.

### **REQUIREMENTS FOR ALL E-FILERS**

E-filed documents may only be filed through the court's approved EFSPs. A list of EFSPs may be found on the court's website at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov) under "E-Filing" for the case type to be filed.

E-filers must comply with Cal. Rules of Court, rules 2.250-2.261. Also, all documents e-filed must be in a pdf format using Adobe Acrobat version 7 or higher, and must be in a text searchable format (i.e., optical character recognition (OCR)). The court is unable to accept documents that do not comply with these requirements, nor documents that include certain characteristics including, but not limited to: forms with fillable fields, a negative image, or an image that is saved as an "object" on the filed document. E-filers must maintain originals of all documents that are e-filed with the court, including but not limited to those documents containing signatures, pursuant to Cal. Rules of Court, rule 2.257.

Unless otherwise required by law, pursuant to Cal. Rules of Court, rule 1.201 (a), only the last four digits of a social security or financial account number may be reflected in court case filings. Exclusion or redaction is the responsibility of the filer, not the clerk. (See Cal. Rules of Court, rule 1.201(b)). Failure to comply with this requirement may result in monetary sanctions, pursuant to Cal. Rules of Court, rule 2.30(b).

Any document filed electronically will be considered as filed with the Clerk of the Superior Court when it is first transmitted to the vendor and the transmission is completed, except that any document filed on a day that the court is not open for business, or after 11:59:59 p.m. (Pacific Time) on a day the court is open for business, will be deemed to have been filed on the next court day. If notice is required or permitted under the Probate Code, electronic service is governed by Probate Code section 1215(c)(1). If notice is required or permitted under the Code of Civil Procedure, electronic service is governed by Code of Civil Procedure section 1010.6 and California Rules of Court, Rule 2.251.

**LETTERS:** Electronically filed Letters must contain a signature of the appointed individual(s) in the affirmation section of the applicable form. The signature may be electronic, as defined in Cal. Rules of Court, rule 2.257. Letters may be submitted together with the order in advance of the hearing. Letters submitted on their own, in advance of the hearing, will be returned unprocessed.

**EXHIBITS:** Pleadings that contain more than one exhibit attached, must include electronic bookmarks with links to the first page of each exhibit and titles that identify the exhibit number or letter and briefly describe the exhibit.

### **DOCUMENTS INELGIBLE FOR E-FILING**

The following documents are **not eligible for e-filing** in cases subject to either mandatory or permissive filing, and must be filed in paper form:

- Original Wills & Codicils.
- Undertaking/Surety Bonds.
- Settlement Conference Briefs (SDSC Local Rule 4.22.10(D)).
- Documents filed under seal or provisionally under seal pursuant to Cal. Rules of Court, rule 2.551.
- Exhibits that are physical objects, which otherwise may not be viewed in an electronic format must be lodged and will not be filed.

### **DOCUMENTS DISPLAYED ON THE REGISTER OF ACTIONS**

Any documents submitted for e-filing (and accepted) will be filed and displayed on the San Diego Superior Court's Register of Actions with the exception of any documents filed confidentially by statute, or under seal by court order. Pursuant to California Rules of Court, rule, 2.503(c)(3), Guardianship and Conservatorship proceedings are restricted from public remote access.