

FREQUENTLY ASKED QUESTIONS

Electronic Filing 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](#).

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1. If my case has a future court hearing date, where do I put that date when I'm e-filing?
 - a. You must **always put the next court hearing 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 court hearing 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 court hearing 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.
 - b. Effective January 1, 2018, the court adopts CCP 1010.6(b)(3) regarding the new e-filing deadline. Documents received electronically by the court between 12:00am and 11:59:59 pm on a court day, if accepted for filing, shall be deemed filed on that court day. Any document received electronically on a noncourt day, if accepted for filing, shall be deemed filed on the next court day.

3. 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.)

4. 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.

5. What is an "envelope"?
 - 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 start an envelope.

6. Can I submit multiple documents for the **same case** in one submission and how do I do so?
 - a. Yes, multiple documents can 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. After uploading your first document, in the “Filings” section click the “Save Changes” button.
 - c. 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.
 - d. 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.
 - e. Be aware that each **document** has a maximum size of 25 MB. You may submit multiple documents that are 25 MB each.

7. If my document exceeds 25 MB, how do I e-file it?
 - a. You will need to break the document into parts, and add each part as a separate document. The first page of each part must be in the format per CRC 2.111. 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.
 - i. For example, your document is 30 MB. You can split the document into 2 parts. Put a formatted first page on each part of the document, indicating what each part is. Select the filing code, upload the first part and save changes. Select ‘Add Another Filing’ and repeat the steps for part 2.

8. How do I enter party information in a(n):
- a. **Civil Unlimited/Limited/Family Law matter?**
 - i. Enter the party name as it is in the complaint/petition. **Enter the first named defendant/respondent on the complaint/petition as the first defendant/respondent in the Party section.**
 - ii. Do not use all upper case. Use the standard upper/lower case format for proper names (i.e. Jane Smith). For a business (Jane Smith dba Five-Hour Martinizing).
 - iii. If you are an attorney representing a client, there is no need to enter address and phone information in the Party Information fields. The attorney 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.
 - iv. If you are representing yourself, enter your contact information in the Party Information fields: name, address and phone number.
 - b. **Unlawful Detainer matter?**
 - i. If you are an attorney representing a client, there is no need to enter address and phone information in the Party Information fields. The attorney 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, enter your contact information in the Party Information fields: name, address and phone number.
 - c. **Probate matter?**
 - i. Enter the address and phone 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. Enter the address and phone information for the petitioner(s), even when they are represented by counsel.
 - ii. Make a party entry for the proposed Ward or proposed Conservatee and include their date of birth in the Date of Birth field. 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.
9. How do I indicate which party is submitting a document through e-filing?
- a. After selecting the filing code you must select the party in the "Filing on Behalf of" section. Click into the 'Select the parties you are filing on behalf of' field and click on the party name. If you select the incorrect name, click the x next to the name.

10. 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.

11. 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.

12. 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.

13. 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 local Cost Recovery Fee of \$1.50 is charged (GC §68150(I) and CRC 2.506)
 - d. A payment service fee (bank/credit card processing fee) is charged
 - e. *If there is no standard filing fee for the document you are submitting*, the charges would be:
 - i. \$3.50 e-filing fee
 - ii. plus \$1.50 local Cost Recovery Fee
 - iii. payment service fee (percentage charged by the bank, probably 3.5%)
 - iv. any fees charged by your EFSP (electronic filing service provider) – check with the EFSP's to determine whether they assess additional fees.
 - f. *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 \$1.50 local Cost Recovery Fee
 - iv. plus payment service fee (percentage charged by the bank)
 - v. any fees charged by your EFSP (electronic filing service provider) – check with the EFSP's to determine if there are any additional fees.
 - g. The \$3.50 e-file service fee plus \$1.50 Local Cost Recovery Fee 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!**)

14. 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. Add the fee "Court Reporting Services less than 1 Hour (\$30.00)" under "Optional Services."

15. What if I do not see the filing fee indicated with the filing code for the document I am submitting?
 - a. After selecting the filing code for the document, go to the Optional Services section. Use the drop-down menu to select the appropriate fee.

16. How do I apply a fee waiver when I am submitting documents?
 - a. There may be instances when a filing fee that would normally be charged does not apply, i.e. when filing on behalf of a government agency party that is exempt from filing fees, or if your client has obtained a fee waiver. 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. You cannot submit documents with a filing fee and documents with a waived fee in the same envelope because only one form of payment is allowed per envelope.

17. If I select a filing code that does not completely describe my document, i.e. my document is a "Motion to Compel Answers to Interrogatories", and the filing code is "Motion to Compel", where do I enter the remainder of the title of the document I am submitting?
 - a. In the "Filing Description" field, enter the remainder of the title of your document that is not stated in the filing code. In the above example, you will only enter "Answers to Interrogatories" in the filing description field. Be sure to enter any future court date first, prior to entering the remainder of the title.
 - b. If the title of your document is complete in the filing code, do not add anything except a future court date in the "Filing Description" field.
 - c. Do not use *all* capital letters in the filing description field
 - i. Capital letters are used for the first letter of each word. i.e. "Answers to Interrogatories"
 - ii. Do not use capital lettering for prepositions, conjunctions or demonstratives.

18. If I don't see the name of the document I am trying to submit, what should I select?
- If an exact filing code is not available for the document you are submitting, please select the filing code that best suits your document, i.e. select "Notice" if the specific type of Notice you are submitting is not a filing code choice.
 - If the exact filing code *nor* a suitable filing code is available, you may use "Document-Other".
 - If the document you are submitting has a filing fee, you must select a filing code that includes the fee.
19. If I am filing a confidential document, should I change the security status from the security drop-down?
- NO – NEVER change the security for a document you are submitting. The e-filing clerk will change the security if it is necessary.
20. 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?
- 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.
21. How do I send comments or instructions to the e-file clerk regarding processing my documents?
- In the "Comments to Court" 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.
22. Can I lodge documents through e-filing?
- Yes. Select the filing code for "Document, Lodged." Then enter the name of your document in the "Filing Description" field, as needed.
 - 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.

23. 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 and route it 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.

24. 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 – Unlimited case category. These are NOT filed under the family law case type.

25. 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 (electronic filing service provider).
 - 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 Filer when submitting the e-filing).

26. Can I obtain certified copies through e-filing?

- a. Certified copies cannot be requested through e-filing. Please contact the Records Unit at the appropriate court location to request certified copies.