

First Legal | Support Services

Court, Process, Messenger

December 26, 2007

Dear Sabrina,

On behalf of First Legal please be aware of the following.

United States District Court Central District of California

RE: Mandatory Civil and Criminal E-Filing

In accordance with Federal Rules of Civil Procedure 5 (d)(3), Local Rule 5-4, and General Order 07-08, all civil and criminal cases are designated for electronic filing with reasonable exceptions as outlined in General Order 07-08 Sections III (B), V (B) and VII.

The Court will no longer offer service of court documents via fax. Attorneys who are not registered to participate in the Case Management and Electronic Case Filing (CM/ECF) system will receive service via U.S. Postal Service. Attorneys who do not consent to service and receipt of filed documents by electronic means will receive service via U.S. Postal Service.

Attorneys are encouraged to register in the CM/ECF system as soon as possible. If you have any questions, please contact the CM/ECF Help Desk at (213) 894-0242 or the [CM/ECF](#) website available from the Court's website at www.cacd.uscourts.gov.

[Click here for a copy of the official court notice.](#)

United States District Court Central District of California

RE: Requirement for Electronic Service

Effective January 1, 2008, the Court will no longer offer service of court documents to attorneys via fax or hard copy. All attorneys participating in the Central District of California are required to maintain an active email account to receive service from the Court. Attorneys appearing pro-hac vice will also be required to provide the court with an email address.

If you have any questions please contact our CMECF Help Desk at (213) 894-0242. You may also access general information and form [G76](#) to register your email address from the

Court's website: www.cacd.uscourts.gov.

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United States District Court Central District of California

RE: Changes to the Local Civil Rules

The Court has adopted the following new Local Civil Rules, effective January 1, 2008:

L.R. 3-2 Filing of Initiating Documents. Complaints (including third-party complaints, counter-claims, and cross-claims) and other initiating documents in civil cases shall be filed, in duplicate, fees paid, and summons issued and served in the traditional manner on paper rather than electronically. All manually filed civil initiating documents shall be e-mailed in PDF format within 24 hours to the civil intake mailbox for the appropriate Court Division.

L.R. 5-3.3 Service of Electronically Filed Documents. Parties in cases subject to Electronic Case Filing (ECF) shall make available electronic mail addresses for service. Upon the filing of a document by a party, a Notice of Electronic Filing (NEF) is automatically generated by the ECF system and sent via e-mail to all parties receiving service by e-mail in the case. Service of an electronically filed document upon a registered ECF user is deemed complete upon the transmission of a NEF to that attorney. The court and parties shall not be required to manually serve pleadings and documents that have been electronically filed, except upon another party who is appearing pro se or opposing counsel who is not yet an ECF user. Parties shall consult General Order 07- 08 for the appropriate procedure for serving documents on parties who have not registered as ECF users in cases subject to ECF. Documents traditionally filed in paper (refer to Section VII of General Order 07-08) must be served by ECF attorneys using traditional means of service in the manner prescribed for such service in the Federal Rules of Civil Procedure.

Orders or other court generated documents filed by the Court in cases designated for electronic filing will be served on parties only via the e-mail NEF.

The Court has adopted the following amended Local Civil Rules, effective January 1, 2008:

L.R. 5-3.1 Form. Proof of service for traditionally filed documents shall be made by declaration of the person accomplishing the service. That declaration shall include the following information:

- (a) The day and manner of service;
- (b) Each person and/or entity served;
- (c) The title of each document served; and
- (d) The method of service employed (e.g., personal, mail, substituted, etc.)

L.R. 7.1-1 Certification as to Interested Parties. To enable the Court to evaluate possible disqualification or recusal, counsel for all non-governmental parties shall file with their first appearance an original and two copies of a Notice of Interested Parties which shall list all persons, associations of persons, firms, partnerships and corporations (including parent corporations clearly identified as such) which may have a pecuniary interest in the outcome of the case, including any insurance carrier which may be liable in whole or in part (directly or indirectly) for a judgment that may be entered in the action or for the cost of defense. Counsel shall be under a continuing obligation to file an amended certification if any material change occurs in the status of interested parties as, for example, through merger or acquisition, or change in carrier which may be liable for any part of a judgment.

The Notice shall include the following certification:

"The undersigned, counsel of record for _____, certifies that the following listed party (or parties) may have a pecuniary interest in the outcome of this case. These representations are made to enable the Court to evaluate possible disqualification or recusal.

L.R. 7-8 Presence of Declarants - Civil Cases. On motions for and orders to show cause re preliminary injunctions, motions to be relieved from default and other motions where an issue of fact is to be determined (e.g., civil contempt, but excluding motions contesting venue and personal jurisdiction), not later than ten (10) calendar days prior to the hearing, a party desiring to cross-examine any declarant who is not beyond the subpoena power of the Court and who is reasonably available to the party offering the declaration may serve by hand (or facsimile or by electronic filing) and file a notice of request to cross-examine such declarant. If the party offering the declaration disputes that the declarant is within the subpoena power of the Court and reasonably available to the offering party, such party shall serve and file an objection to the notice of request to cross-examine not later than seven (7) calendar days prior to the hearing. The offering party shall be under no obligation to produce the declarant unless the Court has granted the request to cross-examine by written order not later than three (3) calendar days prior to the hearing. No declaration of a declarant with respect to whom such a request has been granted shall be considered unless such declarant is personally present and available at the hearing for such cross-examination as the Court may permit. The Court may, in the alternative, order that the cross-examination be done by deposition taken on two (2) calendar days' notice with the transcript being lodged two (2) court days prior to the hearing. The Court may impose sanctions pursuant to these Local Rules against any party or counsel who requests the presence of any declarant without a good-faith intention to cross-examine the declarant.

L.R. 11-3.5 Pre-Punching, Riders and Backing of Documents. All documents presented for traditional filing or lodging and courtesy copies of electronic case filings shall be pre-punched with two (2) normal-size holes (approximately 1/4" diameter), centered 2-3/4 inches apart, 1/2 to 5/8 inches from the top edge of the document. No pages of any document shall have any rider or attachment affixed thereto. All pages shall be firmly bound at the top and backed. The backing shall extend not more than one (1) inch below the pages bound and have the short title of the document typed in the lower right hand corner.

L.R. 54-3 Bill of Costs - Filing and Form - Notice. Within fifteen (15) days after the entry of judgment, the party entitled to costs shall electronically file a Notice of Application to the Clerk to Tax Costs and shall attach a proposed Bill of Costs on Form CV-59. The Bill of Costs and the Notice of Application to the Clerk to Tax Costs shall be prepared as two separate documents. All costs shall be specified so that the nature of the claim can be readily understood. The Bill of Costs will be electronically filed by the Clerk once determination of allowable costs is made.

L.R. 54-4.9 Docket Fees. Docket fees as provided by 28 U.S.C. § 1923 (if incurred).

L.R. 54-10 Clerk's Duty. As soon as practicable after the taxation of costs becomes final, the Clerk shall enter a notation on the docket sheet reflecting the award of costs.

L.R. 54-11 Writ of Execution for Costs. The Clerk shall, upon request, issue a writ of execution to recover attorney's fees included in the judgment and any separate award of costs by the Clerk:

(a) Upon presentation of a certified copy of the final judgment and separate Bill of Costs (Form CV-59); or

(b) Upon presentation of a mandate of the Court of Appeals to recover costs taxed by the appellate court.

L.R. 79-5.1 Filing Under Seal - Procedures. Except when authorized by statute or federal rule, no case or document shall be filed under seal without prior approval by the Court. Where approval is required, a written application and a proposed order shall be presented to the judge along with the document submitted for filing under seal. The proposed order shall address both the sealing of the application and order itself, if appropriate. The original and judge's copy of the document shall be sealed in separate envelopes with a copy of the title page attached to the front of each envelope. Conformed copies need not be placed in sealed envelopes. Where under-seal filings are authorized by statute or rule, the authority therefor shall appear on the title page of the proposed filing. Applications and Orders to Seal, along with the material to be placed under seal, shall not be electronically filed but shall be filed manually in the manner prescribed by Local Rule 79-5. A Notice of Manual Filing shall also be electronically filed identifying materials being manually filed.

The Local Civil Rules are available on the Court's website at www.cacd.uscourts.gov.

[Click here for a copy of the official court notice.](#)

To have First Legal handle your "e-filing" directly into any of California's court venues (ie. e-filing, registration, advancement of fees, etc.), contact Sabrina Rodriguez at srodriguez@firstlegalsupport.com or (800) 889- 0111, ext. 706.

Sincerely,