



## SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

### ELECTRONIC FILING REQUIREMENTS (PROBATE)

This document contains the San Diego Superior Court's electronic filing (e-filing) requirements for probate. These requirements are issued pursuant to California Rules of Court, rules 2.250 et seq., Code of Civil Procedure section 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 ineligible for e-filing due to system limitations or 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). A list of EFSPs may be found on the Odyssey eFile CA website: [www.odysseyefileca.com](http://www.odysseyefileca.com). E-filing is also encouraged, but not mandated, for self-represented litigants in probate actions.

#### **Requirements**

Documents filed electronically must comply with California Rules of Court, rules 2.250-2.261 and be in a portable document format (PDF). The court is unable to accept documents that do not comply with these requirements. Originals of all documents filed electronically, including documents containing signatures, must be maintained pursuant to California Rules of Court, rule 2.257.

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

A document is considered filed when first received and accepted by the court from the Electronic Filing Manager (EFM). If the document is received and accepted on a day the court is closed, or after 11:59:59 p.m. (Pacific Time) on a day the court is open, it will be deemed filed on the next court day. Electronic service is governed by Probate Code section 1215(c)(1) in uncontested matters, and by Code of Civil Procedure section 1010.6 and California Rules of Court, rule 2.251, in contested matters.

#### **Appointment Letters**

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 California Rules of Court, rule 2.257. Letters submitted in advance of the hearing must accompany the order or they will be returned unprocessed.

#### **Exhibits**

Pleadings containing more than one exhibit, 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.

#### **Separate PDFs Required**

Each document must be submitted as a separate PDF, with all pages included in a single file. Multiple documents may be submitted in the same e-filing transaction, provided each document is uploaded as its own PDF. Separate documents may not be combined into a single PDF (i.e., run-on document), except as permitted by California Rules of Court, rule 3.1112(c).

#### **Documents Ineligible for E-Filing**

The following are not eligible for e-filing, and must be filed in paper form:

- Original Wills & Codicils
- Settlement Conference Briefs (SDSC Local Rules, rule 4.22.10(d))
- Out-of-State Commission Subpoenas
- Documents filed under seal or provisionally under seal (Cal. Rules of Court, rule 2.551)
- Undertakings/Surety Bonds

#### **Documents Displayed on Register of Actions**

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