

2021 eSERVICE RULES SUMMARY

Hand-in-hand with eFiling is eService. It can be performed by the law firm or through a vendor. Following is a summary of the legal requirements:

Pursuant to CRC 2.251(a), you can eServe a document if you can serve it by mail, overnight or fax. Anything that requires personal service is not permitted for eService. Unless deemed mandatory by court order or local rules, a party must consent to eService as outlined in the rules listed as follows.

Consent to eService happens when a party stipulates to eService (CRC 2.251(b)(1)(A)) or when a party manifests affirmative consent with the court or an eFiling Service Provider (CRC 2.251(b)(1)(B)).

- Express Consent Form (Standard): <http://www.courts.ca.gov/documents/efs005cv.pdf>
- Express Consent Form (Juvenile): <http://www.courts.ca.gov/documents/efs005jv.pdf>
- Withdraw Express Consent Form: <http://www.courts.ca.gov/documents/efs006.pdf>
- Request for Exemption: <http://www.courts.ca.gov/documents/efs007.pdf>

Per CRC 2.251(i), service is complete at the time of transmission or at the time the notification is sent. Per CCP 1010.6 (a)(4)(B) any period of notice, response, etc. is extended by two court days, but the extension shall not apply to extend the time for filing any of the following:

- A notice of intention to move for new trial,
- A notice of intention to move to vacate judgment under Section 663a,
- A notice of appeal.

A Proof of Electronic Service needs to be included with the documents you are eFiling and eServing. The Proof of Service can be attached to the supporting document or as a separate document and can be submitted in pleading format or on a Judicial Council form. Refer to CCP 1013b for specific proof requirements.

- Proof of Electronic Service: <http://www.courts.ca.gov/documents/efs050.pdf>