

September 13, 2021 Complex Efiling Bar Presentation Questions and Answers

Please review the following information first, as it may provide clarity and context as you navigate through the questions and answers that follow.

BULLETIN BOARD

- A bulletin board is an application that provides for informal communication, which includes the exchange of messages on a network. “Integrated informal communication” refers to bulletin board applications that are integrated with the court’s case management system.
- There are currently two approved bulletin board providers, Case Anywhere and Legal Document Server. As more providers meet the court’s requirements for integration, they will be added to the list of approved bulletin board providers.
- For newly filed cases that are not part of an existing JCCP action with a designated provider, parties must use an approved bulletin board provider.
- For existing cases and JCCP actions in which a non-approved bulletin board provider has been designated, parties may continue to use the same provider.
- Parties may use any EFSP/vendor for efilings, eservice and other services.

BULK PARTY LIST (BPL)

- **CLARIFICATION:** The Bulk Party List (BPL) is only required for initial filings with 25 or more parties, such as:
 - Complaint
 - Cross-Complaint
 - Any Amended Complaint
 - Any Amended Cross-Complaint
- The BPL must be submitted as a ‘live’ Excel Spreadsheet (i.e., do not convert to PDF) and comply with the form and format of Template B (<http://www.lacourt.org/division/efiling/pdf/NBAdditionalContentstoComplexEfilings-attachmentTemplateB.pdf>)
- Select “Notice (name extension)” as the document name/type and enter “Bulk Party List” as the name extension.
- **IMPORTANT UPDATES:**
 - **You must ‘data-enter’ one plaintiff and one defendant via your EFSP. The remaining parties must be included in the BPL. You are NOT**

- required to enter all remaining the parties in the data field via the EFSP – only one plaintiff and one defendant.
- You are only required to use the BPL if there are 25 or more plaintiffs and/or 25 or more defendants. For example:
 - If there are 25 or more plaintiffs and less than 25 defendants, submit the BPL for the plaintiffs only and 'data-enter' the defendants via your EFSP.
 - If there are 25 or more plaintiffs and 25 or more defendants, submit two separate BPLs – one listing the plaintiffs and one listing the defendants.

Please note that the questions appear in bold and are written exactly as submitted during the presentation.

1. Does this new e filing also apply to JCCP 4674 asbestos docket?

Yes. E filing is mandatory for all Complex documents in represented cases, including those filed under JCCP 4674 (asbestos cases).

2. Given the short notice, will the Court consider making the September 20 transition "permissive" rather than mandatory -- as was initially done in both the civil and probate departments? This will allow more time to make sure that our staff are trained and aware of the rule change.

E filing will be mandatory for Complex documents effective September 20, 2021 at 12:01 a.m., as stated in the meeting. Each of the previous Notices to Attorneys regarding mandatory Complex e filing have remained posted on the court's website since the original time of posting (links to previous notices are below).

- <http://www.lacourt.org/newsmedia/uploads/142018101110445718NTACivilElectronicFiling-CORRECTION10-11-18.pdf>
- <http://www.lacourt.org/newsmedia/uploads/1420181171483918NTACivilElectronicFiling-UPDATE-11-6-18.pdf>
- <http://www.lacourt.org/newsmedia/uploads/14201811199581718NTACivilDivisiontoEliminateFaxFiling.pdf>
- <http://www.lacourt.org/newsmedia/uploads/14201812310204218NTACIVILDIVISIONTRANSITIONSTOEFILINGUPDATE-CORRECTION.pdf>
- <http://www.lacourt.org/newsmedia/uploads/142018121817145518NTACIVILDIVISIONTRANSITIONSTOEFILINGUPDATE12-17-18.pdf>
- <http://www.lacourt.org/newsmedia/uploads/1420191917203419NTAComplexEfilngUpdateMandatoryDateExtended.pdf>
- <http://www.lacourt.org/newsmedia/uploads/142019731945219NTA03-29-19ComplexEfilngUpdateMandatoryDateExtended-UPDATE.pdf>

- http://www.lacourt.org/newsmedia/uploads/142021917292121NTA_ComplexEfilngVirtualMeetings_Correction.pdf
- http://www.lacourt.org/newsmedia/uploads/1420219910383821NTA_ComplexEfilng.pdf

3. For the follow-up meeting for service providers can the bar send a link in an email instead of a imbedded in a pdf - our IT dept blocks links that are imbedded in pdf docs

The link was sent in an email to the non-Bar contacts maintained by the court.

4. Can I get pdf of slides?

The PowerPoint presentation is available on the court's website on the Complex Civil efilng page. <http://www.lacourt.org/division/efiling/pdf/ComplexEfilngPP09132021.pdf>

5. What will happen in complex cases wherein the parties are already using a different eService provider -- such as File & Serve. Can the parties continue using that provider for service and case-management?

Yes. Parties **will not** be required to change providers. For existing cases and JCCP actions currently registered with unapproved bulletin board providers, those cases and JCCPs will remain with those providers.

For existing cases and JCCP actions, parties may continue to use their existing eDiscovery vendor.

For new cases (initial filing on or after 9/20/2021), parties are free to choose **any** Electronic Filing Service Provider (EFSP) for efilng and eservice.

For newly filed cases not part of an existing JCCP parties and/or judicial officers who want to take advantage of informal communications (bulletin board) are required to use the currently approved bulletin board providers, as they are fully integrated into the Judges' BenchView tool.

6. So after years of delay filers are still only able to use the two EFSPs is that correct? Why not allow me to use my preferred provider - One Legal? Why is the Court forcing me to switch providers? Is there a plan to allow other EFSPs? Will that take years of delays to implement as well?

The court is not forcing anyone to switch providers.

For existing cases and JCCP actions currently registered with unapproved bulletin board providers, those cases and JCCPs will remain with those providers and parties **will not** be required to change.

As other EFSPs get certified for bulletin board functionality, they will be added to the list of approved providers.

7. When filing initial complaint/responsive pleadings, how do parties know what service provider to use before parties have agreed upon one?

Parties are not required to select a bulletin board *at the time of* filing a complaint or responsive pleading.

8. Do these changes affect unredacted physical copies that are mailed to the court for review, pursuant to CMOs issued in specific litigation?

No. The CMOs (Case Management Orders) currently in place will remain in full force and effect per the assigned judge's direction.

9. Confirming we will need to maintain subscription to Case Anywhere?

Parties are required to use an approved bulletin board provider for newly filed cases not part of an existing JCCP. Currently, the two approved providers are *Case Anywhere* and *Legal Document Server*. Therefore, parties who currently use *Case Anywhere* may continue to do so if they so choose.

10. Are Courtesy Copies being automatically forwarded to the Department the hearing is to be heard?

No. If courtesy copies are required by a judicial officer, they must be delivered directly to the courtroom by the party or the party's designee (e.g., attorney services representative, courier).

11. How soon will we know if an attempted filing is rejected?

The average time for processing efiled documents (excluding proposed orders) is between two (2) and 24 hours. Generally, parties can expect to be notified of a rejection, via their EFSPs, within that timeframe.

12. Will the Court be serving its Minute Orders, Orders, etc. electronically via the service provider/EFSP? Or will they continue to serve via U.S. Mail?

The court will not eserve minute orders. Documents initiated by the court, such as minute orders and other orders (not efiled proposed orders) will continue to be mailed via U.S. Mail.

13. Dear LASC, in addition to the power point slides, will the LASC also post a video/audio file (like a podcast) of this oral presentation and the oral presentation for tomorrow's presentation for the non-attorney legal professionals?

Only the PowerPoint presentations are posted on the court's website. Neither presentation was recorded. <http://www.lacourt.org/division/efiling/efiling2.aspx>

14. Is there a maximum number of e-filings per envelope?

No. There is no limit to the number of electronic documents that may be included in an electronic envelope, and there is no limit to the total number of megabytes (MB) per

envelope, although there is a limit of 200MB per document. Please note that all the documents in a single envelope must be for the same case and only one lead document (e.g., motion or complaint) may be included.

15. If a filing is rejected can we cure it via phone call / ex parte?

No. If an efiled document is rejected, the party must resubmit the cured document via efilings. Parties will not be charged filing fees or efilings charges for rejected documents.

16. Am I understanding this correctly: Only (currently) Case Anywhere and Legal Doc Server are the only avenues to e-file/serve in complex? Or can we use something like One Legal, but then E-serve through Case Anywhere or Legal Doc Server?

No. Parties may use any EFSP to efile and/or eserve documents.

17. If filings are designated for certain cases within the JCCP, will the parties in all cases within the JCCP get served? Currently, on Case Anywhere we can get served with all documents in real time regardless of which part of the case the filings relate to. That is important to keep track of what is happening in the entire JCCP proceeding.

The court does not eserve documents. Parties will continue to eserve all parties within the JCCP using the designated eservice provider.

18. Do we need to change "service" providers if a current complex case uses File&ServeXpress?

No. Parties will not be required to change providers. For existing cases and JCCP actions currently registered with unapproved bulletin board providers, those cases and JCCPs will remain with those providers.

19. Why not use File & Serve?

As additional bulletin board providers become integrated with the court's case management system, they will also be authorized by the court for newly filed cases. At this time, only *Case Anywhere* and *Document File Server* have gone through this required process.

20. What is the deadline by (hour and minutes) that the filing must be fully executed and filed with the court to be deemed filed that same day and not filed the following day (ie I file an opposition due on 10/15/2021 at 6:03pm PST - will it be considered filed 10/15/2021, or will it be considered late and file stamped as 10/16/2021 [or whatever the next business day is])?

The deadline for efilings a document that will be filed as of that same day is 11:59 p.m. For example, if an opposition is efiled at between 4:30 p.m. and 11:59 p.m. on 10/15/2021, it will be filed as of that day. Documents submitted on non-business days will be filed as of the next business day.

21. Courtesy copies? How is that going to work?

The First Amended General Order Re Mandatory Electronic Filing for Civil remains in effect and applies to Complex efilings. However, please check *Courtroom Information* (<http://www.lacourt.org/courtroominformation/ui/search.aspx?ons=xcivil>) and/or with the assigned judicial officer, as some judicial officers may not require or accept courtesy copies.

22. One of our judges does not utilize a bulletin board or recognize bulletin boards as a means of communicating with the court. Will this change be mandatory on all complex judges?

No. Judicial officers have the discretion to use or not use bulletin boards.

23. We have a case that is old and the original Parties listed in the caption are no longer associated in the case. Only new parties will be filing documents. Will we have problems filing?

Court staff members assigned to process Complex efilings have been well-trained and will assist parties if issues arise.

24. When is the spreadsheet required to reflect parties affiliated with the document being filed?

The Bulk Party List (BPL) is only required for initial documents and initial filings with 25 or more parties, such as:

- Complaint
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- Any Amended Complaint
- Any Amended Cross-Complaint

Link to BPL:

<http://www.lacourt.org/division/efiling/pdf/NBAdditionalContentstoComplexEfling-attachmentTemplateB.pdf>

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