



# Superior Court of California, County of Los Angeles

## Mental Health Facility – Based Hearings

### Frequently Asked Questions

(Revised 06/30/2023)

#### **1. HOW DOES EFILING WORK?**

Electronic filing of court documents occurs through an electronic filing service provider (EFSP). The hospital will create an account and the efile system manages the flow of the documents to and from the Court. There is no fee for LPS-designated facilities\*. The hospital user/filer will submit the documents to the EFSP for submission to the Court. The Court will accept or reject the documents. The documents are returned to the EFSP for return to the hospital user/filer through the EFSP's electronic filing portal.

\*According to Government Code Section 6103, filing fees for LPS-designated facilities are exempted.

#### **2. IS EFILING MANDATORY?**

Efiling will be required effective June 5th. Submission of the request for hearing will no longer be available through the mental health portal.

#### **3. WHY IS EFILING BEING ADOPTED?**

Efiling is a secure transmission process, an easy way to submit documents and allows the Court to obtain the necessary documents to conduct hearings as well as meet the retention of records.

#### **4. IS EFILING THE SAME AS FAXING?**

No. Efiling is not the same as faxing. For efile, the filing party must use an EFSP and submit the documents. In the different divisions where fax filing was accepted, it is no longer used.

#### **5. WILL FAXING OR EMAILS STILL BE AVAILABLE AFTER EFILING IS IMPLEMENTED?**

No. Emails and Fax filing will not be available for documents after efile is implemented.

**6. CAN WE ELECT TO CONTINUE USING THE PORTAL TO REQUEST FOR HOSPITAL-BASED HEARINGS?**

No. As of June 5, 2023, e filing is required.

**7. WHY DO HOSPITALS HAVE TO REGISTER AS AN ELECTRONIC FILER (EFILER)?**

Registration as an electronic filer is required to establish an account for your electronically filed documents. Your account will allow you to check the status of your electronically filed documents and will provide a path for the Court to return your documents back to you.

**8. DO I HAVE TO USE AN EFSP?**

Yes. An e filing Service Provider is an intermediary between the hospital filer and the Court. The Judicial Council has mandated that all Courts accepting electronically filed documents use independent EFSPs. Pursuant to Code of Civil Procedure Section 1010.6(e) the Court may not accept electronic filings directly. You can find a list of approved service providers on the Court's website. <https://www.lacourt.org/division/efiling/providers.aspx>.

**9. CAN HOSPITALS CHANGE EFSP AFTER SELECTING AND REGISTERING WITH ONE?**

Yes. You may choose any EFSP. You may change to a different service provider at any time.

**10. CAN ALL HOSPITAL STAFF USERS USE THE SAME ACCOUNT OR DO WE NEED TO CREATE AN ACCOUNT FOR EACH USER?**

One account per facility is sufficient.

**11. WHICH EFSP CAN I USE?**

You may use any EFSP that is listed on the court's website.

**12. DO THE EFSPs OFFER TRAINING?**

Yes, the EFSP's onboard their clients.

### **13. ONCE A DOCUMENT IS EFILED, WHAT IS THE TIME FOR PROCESSING?**

We do not anticipate an interruption in the processing time.

### **14. WHAT ARE THE FILING HOURS FOR EFILING?**

You may submit your filings electronically through your EFSP 24 hours/ 7 days a week. However, court staff process the filing requests during court business hours (8:00 AM-4:30PM).

### **15. WHAT DO I DO IF MY DOCUMENT IS REJECTED?**

Any Notice of Rejection sent by the Court will include the reason for the return of the document. If your document is rejected, correct the deficiency, and resubmit the document via eFiling.

### **16. WHAT ARE THE MOST COMMON REASONS ELECTRONICALLY SUBMITTED DOCUMENTS ARE REJECTED?**

Some common reasons a filing may be rejected by the Court include, but are not limited to:

- A. If the Request for Mental Health Facility-Based Hearing form is not included, the hearing request will be rejected. The form must be included with each Notice:
  - 1. Notice of Certification WIC 5150
  - 2. Notice of Certification WIC 5250
  - 3. Notice of Certification WIC 5270
  - 4. Riese Petition WIC 5332
  - 5. In Re Roger S. Preliminary Report
- B. Documents are not submitted as separate PDFs in the same transaction/envelope, e.g. multiple documents are submitted as a single filed document.
- C. Incorrect case type or case category selected.
- D. Duplicate submission.
- E. If a document is incomplete, it will not be processed.
- F. Selecting incorrect case type or filing code will result in a rejection.
- G. A subsequent document submitted as a new case filing will result in a rejection.

### **17. WHERE DO I FIND MY TRANSACTION/ ENVELOPE NUMBER?**

The transaction/ envelope number is noted on your confirmation of filing in the EFSP system.

### **18. CAN I CANCEL A TRANSACTION AFTER SUBMISSION?**

No. Once the transaction is electronically submitted, it cannot be cancelled.

**19. WHO CAN I SPEAK WITH IF I HAVE A QUESTION ABOUT A FILING?**

The first point of contact for any question should be the EFSP. Any e-filing technical questions or operational questions about the court process may be submitted to [MHHR@lacourt.org](mailto:MHHR@lacourt.org).

**20. WHO REGISTERS FOR EFILING? HOW DO YOU MAKE AN ACCOUNT?**

The hospital needs to register an EFSP in order to be able to efile. The EFSP list is available on the court website. <https://www.lacourt.org/division/efiling/providers.aspx>. EFSP can provide onboard training.

**21. HOW DO HOSPITALS CHOOSE AN EFSP? ARE THERE GUIDELINES? DO HOSPITALS RANDOMLY CHOOSE AN EFSP? ARE THERE ANY DIFFERENCES IN THE VARIOUS EFSPS? WHAT CRITERIA SHOULD A HOSPITAL CONSIDER WHEN CHOOSING ONE OF THE VARIOUS EFSP PROVIDERS?**

The hospital may select any of the EFSPs listed on the court website. <https://www.lacourt.org/division/efiling/providers.aspx>

**22. WILL THE PORTAL STILL BE USED TO NOTIFY THE HOSPITAL OF THE HEARING SCHEDULE? AND THAT IS WHERE THE HOSPITAL WILL GET THE HEARING RECORD? WILL THE NEXT DAY SCHEDULE/CALENDAR FOR HEARINGS BE AVAILABLE ON PORTAL?**

Yes, the portal will still be available.

**23. WOULD WE STILL NEED TO USE MYLACOURT.JPP FOR RETRIEVING CERTIFICATIONS AFTER HEARING?**

The portal will remain available.

**24. WILL THE OFFICE OF PATIENTS' RIGHTS ALSO HAVE ACCESS TO E-FILED DOCUMENTS?**

No, the Office of Patients' Rights will continue to obtain patient information through hospital representatives.

**25. WILL THE CURRENT HOSPITAL REPRESENTATIVE STILL GET THE COURT HEARING INVITATION WITH THE WEBEX LINK?**

Yes.

**26. DOES THE HOSPITAL JUST NEED TO FILE THE MH054 REQUEST FOR MENTAL HEALTH HEARINGS OR ALSO HAVE TO INCLUDE A HARD COPY OF THE 5250/5270/RIESE FORM?**

The Certification, Riese and Roger S Hearing forms must be filed together with The Request for Hearing MH054 form.

**27. HOW DO HOSPITALS CANCEL E-FILED DOCUMENT SUBMISSIONS IF A CERTIFICATION REVIEW HEARING IS NO LONGER NEEDED DUE TO PATIENT DISCHARGE OR CONVERSION TO VOLUNTARY STATUS?**

To cancel the hearing request, please efile the “request to cancel” form.

**28. WHAT PRIVACY AND SECURITY MEASURES ARE IN PLACE TO SAFEGUARD THIRD-PARTY FILINGS?**

EFSPs are required to run antivirus scans. They are also prohibited from storing data, which should include documents. EFSPs go through rigorous certification testing initially.

**29. HOW DO I FIND AN EXISTING CASE NUMBER?**

Go to filing history on the EFSP’s dashboard to find the case number. If the case was filed before the implementation of this new efilings system, you need to contact CourtService Assistants for the case number.

**30. HOW DO I PROPERLY PROCESS PAYMENT INFORMATION?**

Make sure that you properly add the “Government Exemption” payment option before filing.

If the “Government Exemption” payment option is not available in your EFSP portal, please use the “Waiver” payment option.

Please contact your EFSP if you need help with setting up the payment options.

While filing, in the Payment Account box, you need to select the “Government Exemption” option (select the “Waiver” option if your EFSP portal does not provide a “Government Exemption” option).

In the Party Responsible for Fees, select the name of your facility (not the name of the patient).

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### 31. HOW DO I PROPERLY UPLOAD THE REQUEST FOR HEARING SO IT WILL NOT BE REJECTED?

- Prefill the form MH054 <https://www.lacourt.org/forms/pdf/MH054.pdf> and upload the legible form.
- Enter the correct address of the facility as detailed as possible.
- Enter the correct patient’s name.
- Enter the language if needed.
- The date on the request for hearing and the notice of certification should match.
- Select the proper hearing type. Make sure the hearing type matches the case type you select to file.
- For Medication Capacity Hearing, make sure to select the proper requested hearing time.
- Make sure to file the proper certification with the Request for Hearing.

Please note that the screenshot below was taken from efile CA filing website. The efilng interface varies based on the EFSPs you pick

The screenshot shows the 'Details' tab of the efile CA filing website. The 'Filing Type' is set to 'eFile Only'. The 'Filing Code' dropdown menu is open, showing several options: 'Request for Hearing', 'Notice of Certification WIC 5150 (Case Initiation)', 'Notice of Certification WIC 5250 (Case Initiation)', 'Notice of Certification WIC 5270 (Case Initiation)', 'Request for Hearing' (highlighted), 'Riese Petition WIC 5332 (Case Initiation)', and 'Roger S. Preliminary Report'. A red box highlights the 'Request for Hearing' option in the dropdown menu. Below the dropdown menu, there is a 'Lead Document' section with a 'BROWSE' button and a 'Drag file here or' prompt. A red box highlights this section with the instruction: 'Upload your filled MH054 form as the Lead Document. Do not upload any other documents.'

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### **32. IS THE ENVELOPE NUMBER THE CASE NUMBER?**

No, the envelope number is the reference number, which is an eight-digit number. To inquire about the review status of your filing, you need to provide the envelope number to the Court.

The case number is a unique court record number.

### **33. WHEN AND HOW WILL WE GET THE CASE NUMBER?**

Only if your filing is accepted by the Court, will the Court provide the case number. The case number can be located in your filing history on your EFSP's dashboard.

You can also find the case number in the acceptance confirmation email that is sent once the filing is accepted by the Court.

### **34. WHAT DOES "PENDING" MEAN AFTER I HAVE SUBMITTED THE REQUEST?**

"Pending" means the request you have submitted has been successfully received into the processing queue and is pending review by one of our Court Services Assistants.

### **35. HOW LONG DOES IT TAKE TO RECEIVE AN ENVELOPE NUMBER AND CASE NUMBER?**

The turnaround rate from the time of submission to the time of confirmation is the next business day.

### **36. EFSP FIRM VS INDIVIDUAL ACCOUNTS?**

The firm account is used by law firms that need to provide information about attorneys. Individual accounts can be used by anyone. We recommend the facilities to create an individual account or contact your EFSP to convert your existing firm account to an individual account.

### **37. WHY CAN I NOT PROCEED WITHOUT ENTERING THE ATTORNEY INFORMATION?**

In the event that you encounter difficulties, it suggests that your EFSP account is registered as a Firm Account. To avoid the need to enter attorney information, it is advisable for facilities to establish Individual accounts for the e-file process. If you already have the firm account, you may consider reaching out to your EFSP and requesting a change from Firm to Individual account type as a potential solution.