

# CCP 1010.6 SUMMARY

## (a) Definitions & Electronic Service

- If a document can be served by mail, express mail, overnight delivery, or fax, it can be eServed. Documents required to be sent by certified or registered mail cannot be eServed.
- Electronic service is deemed completed at the time of transmission or notification. Any period of notice is extended by two court days except the following:
  - Notice of intention to move for new trial
  - Notice of intention to move to vacate judgment under Section 663a
  - Notice of appeal
- Documents eServed between 12:00 am - 11:59:59 pm on a court day are deemed served that day.
- Confidential documents must be served via encrypted means.

## (b) Mandatory eService (represented parties)

- Requires represented parties to accept eService at a confirmed address. Requires represented parties to eServe other parties upon request. (Does not specifically preclude personal delivery).

## (c) eService with Consent (unrepresented parties)

- An unrepresented party may consent to receive electronic service. The act of electronic filing does not construe consent.



**(d) eService by the court**

- On and after July 1, 2024, the court shall utilize eService to transmit issued documents to parties who are represented or have consented to eService.

**(e) Permissive eFiling.** Courts may adopt rules permitting eFiling subject to conditions

Signatures:

- Not under penalty of perjury: Deemed signed if submitted by the filer or actually signed. No requirement for /s/ or anything else.
- Under penalty of perjury: Signed electronically or actually signed.
- Refer to CRC 2.257 for additional clarification.

Miscellaneous:

- An electronically filed document has the same legal effect as an original paper document.
- Documents received by the court between 12:00 am – 11:59:59 pm on a court day are deemed filed that day.
- Confirmation of filing or rejection must be done promptly.
- If the court rejects a complaint or cross-complaint, the statute is tolled one day to allow the filing party to correct the deficiency and resubmit.



- Prohibits court, EFM an EFSP from charging fee waived parties and other specific fee exempt filers.
- Limits the cost of payment processing and court eFiling transaction fees.

**(f) Mandatory by Court Order**

- Allows courts to order mandatory eFiling and eService in class action, consolidated actions, a group of actions, a coordinated action and complex actions.

**(g) Mandatory by Local Rule**

- Allows courts to adopt local rules requiring eFiling and eService subject to conditions. Must have multiple EFSP, waive EFM and EFSP transaction fees for fee waiver parties and allow parties to seek exemptions. Unrepresented persons are exempt.

**(h) Requires the Judicial Council to adopt rules regarding eFiling and eService**

**(i) Requires the Judicial Council to adopt rules permitting mandatory civil eFiling and eService**

**(j) ADA Compliance & Misc. Reporting Requirements**

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