

Family Law Electronic Filing FAQs Orange County Superior Court

1. How does eFiling work?

Electronic filing or eFiling enables filers and courts to efficiently process documents and fees online. The filer will submit the documents through an Electronic Service Provider (EFSP), the court will accept or reject the documents, and the documents are returned to the filer through the electronic filing portal. eFileCA manages the flow of information among filers, clerks, court personnel and judges.

2. Is Orange County Civil/Probate eFiling related or the same as Orange County Family Law eFiling?

No, though the EFSPs might service both case types, the filing systems are separate and have different processes.

3. I am an attorney; do I have to eFile?

Beginning December 4, 2017, Orange County Family Law Division will open eFiling to all parties on a permissive (optional) basis. Effective January 1, 2018, represented parties will be mandated to electronically file most documents.

4. I am a self-represented litigant; do I have to eFile?

Self-represented litigants are not mandated to eFile documents; however, they may choose to do so if desired.

5. Is there an exception to mandatory electronic filing if it creates an undue hardship or significant prejudice to any party?

Yes, in accordance with rule 2.253 of the California Rules of Court, a party may submit an application for exemption from e-Filing.

6. What documents cannot be eFiled?

All documents can be electronically filed except for those outlined on the Family Law eFiling exceptions list which is located on the family law eFiling internet page.

Note: Ex parte documents CANNOT be eFiled at this time.

7. How do I submit documents exempt from eFiling?

Documents that are exempt from eFiling can be submitted for filing in the Clerk's Office of the Family Law division between the office hours of 8:00 a.m. and 4:00 p.m. or by mail.

8. Is eFiling the same as fax filing?

No, with eFiling the filing party must use an electronic filing service provider (EFSP) and will submit their documents for filing over the internet. The Family Law division does not accept fax filing.

9. How do I get started?

Visit the [Odyssey eFileCA website](#). There you can access a current Service Providers list to establish an account with an EFSP as well as visit their FAQs page for additional information.

10. Is eFiling secure?

Yes. The eFileCA system adheres to state and federal security regulations and meets Payment Card Industry Security Standards to protect filer and transaction information.

11. When can I use eFileCA?

eFileCA is available 24 hours a day, seven days a week.

Note: The system may be temporarily be offline from time to time for maintenance purposes.

12. What time do I have to submit my document to have it deemed filed the same day?

The filing must be received by the court by 11:59 p.m., as indicated in [Local Rule 700.7](#). Keep in mind some EFSPs have a cut off for same day processing because of the time it takes for the envelope to be submitted and received by the

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court. If a person submits a filing at 11:55 p.m. it may not be received by the court until 12:01 a.m., which would make it a next day filing.

13. What is an “envelope”?

An envelope contains a document or group of documents for a single file code for a single case number, or a group of documents for multiple filing codes, that will be processed in one transaction for one single case number.

14. Can I use my personal computer to eFile?

Yes, you can submit filings through an electronic filing service provider (EFSP). You will be using the internet to select the EFSP and submit your documents for filing. You will upload the document as an attachment. For instructions, refer to your EFSP’s website.

15. Do I have to register to use eFile CA?

Yes, all users must register with an electronic service provider (EFSP) prior to using eFiling. The court does not accept electronic filings directly. 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 to you. Once you select an electronic filing service provider (EFSP), you will be able to use your existing username and password for any EFSP.

Note: You may change electronic service providers at any time.

16. Is support available for the eFileCA system?

Yes, support is provided for both attorneys and self-represented litigants. Each electronic filing service provider (EFSP) offers a different type of eFiling support. When you pick your EFSP look at the level of filing support that is offered and see if it meets your needs.

17. Is there eFiling training available to the public?

Training is provided for free and you can attend as many training sessions as needed. You can register by selecting Web Training Sessions at <http://www.odysseyefileca.com/service-providers.htm>. One hour of CLE credit can be earned for many of the sessions.

18. Are my electronically filed documents printed for the court file?

No, documents that are electronically filed and accepted by the court are automatically uploaded to the court’s case management system. This allows the court staff and judicial officers to electronically view the case documents without printing the document or maintaining a physical court file. The electronic record is the official court record pursuant to [Government Code 68150\(a\)](#).

19. Are documents available to public upon submission, or upon processing?

A filing party may view documents submitted immediately through their electronic filing service provider’s (EFSP) portal. All other parties will be able to view a document upon acceptance on public terminals located at any Orange County courthouse. A document is not considered filed until it is accepted by the court.

20. What date will my document be “Filed” if I eFile after 5:00 p.m.?

Per [Local Rule 700.7](#), documents filed prior to midnight on a court day will be deemed filed as of that day.

21. What happens if I select the wrong court location?

Your electronically filed document will be rejected and returned to you through the eFiling system for correction and resubmission with the proper filing location indicated.

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22. What are typical return reasons?

Typical reasons that your filing would be rejected by the court are as follows:

- Multiple filing documents are submitted as a single file (for example, Summons and Petition)
- Incorrect filing fee is submitted
- Incorrect court form submitted
- Incorrect case type selected
- Incorrect payment account option selected (i.e., fee waiver)
- Party's name does not match the party's name listed on the document for initial documents
- Party's address does not match the party's address listed on the document for initial documents
- Missing required information

23. Do I need to submit a courtesy copy?

Courtesy copies are to be submitted at the request of the judge and should be submitted to the courtroom clerk.

24. Do I need to scan a document that includes an original signature?

Retention of original signed documents shall be pursuant to [California Rules of Court, Rule 2.257](#) and [Code of Civil Procedure, section 1010.6](#). For documents eFiled with court, the filing party may use /s/ followed by the name of the individual on the signature line of a document

25. If I am eFiling a document that has a fax signature do I have to indicate as such?

Yes, per [CA Rule of Court 2.305](#) we require filing parties to note when the signature is by fax.

26. Should a document be password protected?

No, documents should not be password protected and will be rejected if the content cannot be viewed.

27. Can I electronically file a Confidential Document?

Yes, confidential documents will be accepted via eFiling, however, the court will determine the appropriate level of security prior to filing.

Electronic Filing Fees

28. Are there fees associated with using eFileCA?

Yes, there are fees associated with filing documents electronically with eFileCA.com:

- Standard court filing fees: per statewide fee schedule (filings submitted without all the required filing fees, will be returned for correction).
- A service fee is assessed for the eFiling system. The fee initially will be \$5.00 from December 04, 2017 to January 01, 2018, then the fee is reduced to \$3.50; this is subject to change.
- Payment service fee: A payment service fee is assessed to cover the credit card processing fees. The current fee is 2.75% of the total filing fee, this number can fluctuate quarterly.
- eCheck Fee: The fee is \$.25.

Note: Fees will not be charged until the envelope is accepted/filed by the court.

29. How do I apply a fee waiver when I am submitting documents?

While setting up your account, add the payment option "Fee Waiver." When submitting filings, you will be able to select "Waiver" from the "Payment Account" dropdown menu.

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Electronic Service

30. What is e-service?

E-service is a feature provided by eFileCA where documents are electronically served to other parties in a case via e-mail. Using this option, you can track when each party received and opened the filing.

Note: Initial filings must be served in person.

31. How do I serve other individuals with my eFiled documents?

Filers are responsible for accomplishing service of all filings as required by applicable court rules. For this purpose, filers may use the mail service, service by hand delivery, send an e-mail, or use eFileCA as it offers the option of electronic service of each filing to the designated service contact.

32. Can I use e-service without filing a document with the court?

Yes, eFileCA may be used to exchange documents between parties without filing the documents through the courts, contact your EFSP for further information.

33. Can the court electronically serve (e-serve) other parties for me?

No, at this time the court will not electronically serve other parties on behalf of another party. Contact your EFSP for options.

34. If I file electronically, have I consented to electronic service on this case?

Yes, refer to [California Rules of Court, Rule 2.251\(b\)\(1\)\(B\)](#). By eFiling the document, you agree to accept electronic service at the electronic service address you provided. Self-represented parties must affirmatively consent to acceptance of electronic service.

Uploading Documents

35. Can I upload documents together or must they be separated?

Orange accepts initial filings separate from subsequent filings. Only one case per envelope is allowed. Documents should be filed as you would have at the clerk window. Anything that needs its own file stamp should be filed separately, as a lead document that gets its own separate event code. For instance a document that would have been stapled together at filing should be filed as one lead document.

36. Is there a size limit for which the document can be uploaded?

35 megabits for the whole envelope and 25 megabits for a single document. There have been a few initial problems here that have all been resolved by calling the EFSP. If the document is truly too big, and the EFSP cannot resolve, the document can be electronically filed in separate batches but please call the court to let us know that this is going to happen first so we can monitor and filings are not rejected in error.

37. What format do I have to save my documents in?

PDF, however some EFSPs allow you to file as a Word document as they will take care of the conversion.

38. Do I have to add OCR (Optical Character Recognition) to my document?

Yes, pursuant to [CA Rule of Court 2.256\(b\)\(3\)](#), a document filed electronically must be text searchable.