

Fresno County Guidelines

Court Website: www.fresno.courts.ca.gov

Link to Local Rules: http://www.fresno.courts.ca.gov/rules/local_rules/

CMS/EFM: Tyler Odyssey File & Serve

Mandatory Case Types: Civil, Family Law & Probate

Prohibited Electronic Filing: No electronic filing is permitted for criminal or juvenile cases or confidential case types including confidential name change, unlawful detainer (if within the first sixty (60) days of the file date), developmentally disabled and dangerous, forfeiture of confiscated weapon, involuntary medication, mental health, Murphy LPS conservatorship, petition to consent for medical treatment, petition for Electroconvulsive Therapy (ECT), Riese hearing, relief of firearm prohibition, TB petition, petition for consent LPS conservatorship, writ of habeas corpus, adoption, appointment of confidential intermediary, petition to declare minor free, petition to establish parental relationship, set aside declaration of paternity, surrogacy, termination of parental rights, and unseal birth records. This also includes probate and unlawful detainer subsequent filings if within the first sixty (60) days of the file date until such time the case is no longer confidential.

Formatting Requirements: The Court requests that electronic filing of documents be effected using a fully searchable .pdf file and include electronic bookmarks to each heading, subheading and component (including the table of contents, table of authorities, petition, verification, points and authorities, declaration, and proof of service if included within the petition), and to the first page of each exhibit or attachment, if any; that each bookmark to an exhibit or attachment include the letter or number of the exhibit or attachment and a description of the exhibit or attachment. The Court also requests that if exhibits or attachments are submitted in multi-part electronic files, each separate file have its own table or index of the contents of the file. The Court anticipates these requests will become mandatory at a future date. File size limit is 25MB per document, 35MB maximum per envelope.

Courtesy Copies: Not generally required. When electronically filing Family Law documents required to be mailed by the court to the opposing party (such as Request to Enter Default, Notice of Entry of Judgment, Request for Status Conference, etc.) the Court requests that the following be provided to and received by the Court no later than the day prior to electronically filing. 1. Two printed copies of document(s) to be conformed. 2. Envelopes with sufficient postage addressed to both parties, or their attorney.

Limitations on Filings: Notwithstanding any other provision of law or this rule, the following documents may not be filed electronically 1. Affidavit re: Real Property of Small Value; 2. Bonds; 3. Documents for cases under seal; 4. Labor Commissioner deposit of cash or check; 5. Subpoenaed documents; 6. Undertakings; and 7. Wills/Codicils; or 8. Any exhibits that cannot be accurately transmitted via electronic filing due to size or type.

Miscellaneous Rules: Upon e-filing a petition to Probate a Decedent's Estate, a Spousal or Domestic Partner Property Petition or a Petition to Determine Succession to Real Property, the original will must be deposited with the clerk's office within ten (10) court days to avoid the fee associated for depositing a will.

Labor Commissioner Appeals Upon e-filing an appeal of a decision, order, or other award of the Labor Commissioner in the Civil Division pursuant to Labor Code § 98.2(a), where the filing party is initiating the action has obtained a bond or undertaking, the bond or undertaking documentation must be e-filed with the initiated case in order to comply with Labor Code § 98.2(b). Pursuant to California Rules of Court 2.252(e), the original bond or undertaking must then be delivered to the Court within ten (10) court days. Failure to do so can have consequences on the ability of the appeal to move forward. A party filing such an appeal of a decision, order, or other award of the Labor Commissioner in the Civil Division pursuant to Labor Code § 98.2(a), where the filing party is initiating the action will be depositing cash or a check to satisfy the requirements of Labor Code § 98.2(b) will be excused from the mandatory e-filing requirements set forth in Rule 4.1.13A. Such a filing must be directly filed with the Court outside of the e-filing system.