

CaseHomePage Sample Electronic Case Management Order

California State Courts

[Caption Page]

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1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 THE COURT hereby makes the following Electronic Case Management Order
3 ("ECMO") relating to filing and service procedures in the captioned matter as set forth
4 below:

- 5 1. All documents to be filed and/or served in this matter shall conform to the
6 procedures set forth in this ECMO.
- 7 2. Subject to the terms of the ECMO, ExtraAccess Services, Inc., dba
8 CaseHomePage ("CaseHomePage"), with its principal place of business at
9 1601 Corporate Drive #4498, Petaluma, CA 94955 is hereby designated as
10 the exclusive provider of an Internet web site for the management of this
11 case (the "Web Site") and for service of case documents. For purposes of
12 this Order, CaseHomePage submits to the Court's jurisdiction.
- 13 3. The Web Site for this case is located at www.casehomepage.com. The file
14 name for this case on the Web Site will be designated by CaseHomePage
15 in an easily identifiable manner. Once a master service list is provided,
16 CaseHomePage will provide a username and password for each law firm or
17 pro se litigant named therein. The username and password provided may
18 not be shared with other litigants or third parties.
- 19 4. The Web Site shall have the following minimum attributes:
 - 20 a. Permit the Court, counsel, *pro se* litigants and other person(s)
21 authorized by the Court ("other authorized persons") to upload
22 documents and post Bulletin Board items;
 - 23 b. Permit viewing and retrieval by the Court, counsel, parties, and
24 other authorized persons of all documents and Bulletin Board
25 items posted on the Web Site;
 - 26 c. Permit viewing and retrieval by the Court, counsel, parties,
27 expert witnesses, and other authorized persons of all posted
28 deposition transcripts. (Unless otherwise instructed by the

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Court, permission to view and retrieve deposition transcripts will require approval of the court reporting agency that recorded the deposition); and

- d. Provide appropriate security limiting access to the Web Site.
- 5. CaseHomePage shall provide technical support for the Web Site.
- 6. CaseHomePage shall establish folders within the Web Site.
- 7. All documents shall be filed and served as follows:
 - a. The original of any document required to be filed in this matter shall be filed with the Court;
 - b. The filing party shall submit a version of the document to be posted on the Web Site to CaseHomePage by file transfer protocol (FTP) upload (any Corel WordPerfect Suite, Microsoft Office Suite, and/or PDF format is acceptable). A document to be posted on the Web Site may also be faxed or delivered to CaseHomePage, although FTP transfer is the preferred method of delivery. Faxed or delivered documents will be scanned at an additional charge and posted to the Web Site. Documents requiring an original attorney signature may be posted on the Web Site with the attorney's name indicated on the signature line (rather than an actual signature). If the version of the document submitted to CaseHomePage does not bear the attorney's signature, a signed version of that document shall be maintained and made available for production, if necessary. Notwithstanding the above, filings with the Court will bear an original attorney signature as otherwise required. Delivery of documents to CaseHomePage by whatever means shall occur on the same day that the document is filed with the Court.

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- Documents served on other parties but not filed with the Court shall be submitted to CaseHomePage in the same manner;
- c. If a document to be served and/or filed with the Court has non-digitized material that cannot be transmitted via FTP upload, the party submitting the document shall either: (i) scan the material (or have a third party vendor scan the material) and upload it to CaseHomePage; (ii) send or deliver the material to CaseHomePage for scanning and uploading; or (iii) fax the material to CaseHomePage for scanning and uploading. Whenever possible, all related documents (e.g., motions and exhibits thereto) should be uploaded concurrently for posting on the Web Site;
 - d. The submitting party shall upload or otherwise provide to CaseHomePage an "Electronic Proof of Service", either by attaching it to the applicable document for posting on the Web Site or by submitting it concurrently as a separate document. The Electronic Proof of Service provided to CaseHomePage shall identify the name of the individual submitting the document or bear that person's signature. If the Electronic Proof of Service submitted to CaseHomePage does not bear a signature, a signed version of that document shall be maintained and made available for production, if necessary. Notwithstanding the above, an original, signed version of the Electronic Proof of Service will be included with all Court filings;
 - e. Once the filing party has complied with all of the requirements of Paragraphs 7(a) – (d), service of the document upon all parties shall be deemed complete. CaseHomePage shall post documents in the appropriate folder(s) on the Web Site. For

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each document posted on the Web Site, CaseHomePage shall indicate the date it was uploaded and the date it was posted;

- f. With respect to motions, unless otherwise ordered, the applicable briefing and filing schedules set forth under the California Code of Civil Procedure and the California Rules of Court shall govern. The filing party must call the Court clerk to schedule a hearing date, consistent with these requirements, prior to filing the motion; and
- g. All documents filed with the Court or served on other parties prior to the set-up of the Web Site, including the Summons and Complaint, shall be uploaded or otherwise submitted to CaseHomePage.

8. Upon the posting of any document or Bulletin Board item on the Web Site, CaseHomePage shall send an email message to those individuals named in the service list provided to CaseHomePage. The email notice from CaseHomePage shall identify each new posting and the file folder in which it is contained. It will also include a hyperlink directly to the item that was posted. Parties are responsible for keeping CaseHomePage advised of current email addresses.

9. There is no cost to the Court for the procedures established by this Order. Unless otherwise agreed, each law firm or pro se litigant indicated on the original or amended service list shall pay fees and other charges whether or not the Member uses the service. Members that are thirty (30) or more days delinquent in paying their fees and/or charges in full may be restricted by CaseHomePage without further action from the Court. A Member which has been restricted for failure to pay will be deemed (i) served any documents posted on the Web Site during the period of restriction and (ii) on notice of all Bulletin Board items posted during the period of restriction.

1 Access and use of the Web Site are subject to the Terms of Use posted at
2 www.casehomepage.com.

- 3 10. Each Member shall designate at least one person to receive electronic
4 notification from CaseHomePage. There is no additional charge for added
5 designees.
- 6 11. Within five (5) days, all parties shall provide
7 _____ (the "Liaison") with the following
8 information: (i) name of party; (ii) name of law firm representing party; (iii)
9 attorneys of record at law firm; (iv) address of law firm; (v) phone and fax
10 numbers of law firm; and (vi) email addresses of individuals at law firm
11 designated to receive email notification from CaseHomePage. Within ten
12 (10) days, the Liaison shall provide CaseHomePage with an initial service
13 list for posting on the Web Site which includes the above information. The
14 service list shall be arranged alphabetically by firm name. All parties shall
15 review for accuracy the service list posted to the Web Site.
- 16 12. Whenever any changes to a party's information on the initial service list
17 occur, the party shall inform CaseHomePage of the changes via the
18 Information Change Form on the Web Site. CaseHomePage will post an
19 updated service list reflecting the changes. When a party has been
20 dismissed, the party shall inform CaseHomePage via the Case Exit Form on
21 the Web Site. Once CaseHomePage receives the Case Exit Form, the
22 Dismissed Party's access to the case file shall be terminated and the
23 Dismissed Party will no longer be billed by CaseHomePage on a going
24 forward basis. The Dismissed Party will remain responsible for all unpaid
25 fees and charges incurred to date. If the Liaison is dismissed from the case,
26 the Court will appoint another party to act as Liaison.
- 27 13. CaseHomePage will provide the above-listed services until one of the
28 following three events occur: (i) all parties have exhausted their appeals (or

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all appeal periods have lapsed); (ii) all parties have informed
CaseHomePage of dismissal; or (iii) the Court instructs CaseHomePage to
terminate the service.

IT IS SO ORDERED.

Dated: _____

By: _____
Superior Court Judge