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CaseHomePage Sample Electronic Case Management Order

California State Courts

[Caption Page]

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
9 775 Baywood Drive, Suite 308, Petaluma, CA 94954 is hereby designated
10 as the exclusive provider of an Internet web site for the management of this
11 case (the "Web Site"). For purposes of this Order, CaseHomePage submits
12 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 individual
17 named therein. The username and password provided may not be shared
18 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 post
22 documents, Bulletin Board items, and Calendar events;
 - 23 b. Permit viewing and retrieval by the Court, counsel, parties, and
24 other authorized persons of all documents, Bulletin Board items,
25 and Calendar events 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 Court,

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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 exhibits attached or any other 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. CaseHomePage shall post documents received no later than the close of the next business day after receipt in the appropriate folder(s) on the Web Site (except for exhibits that

1 are not delivered electronically, which will be uploaded as soon
2 as reasonably practicable). For each document posted on the
3 Web Site, CaseHomePage shall indicate the date it was
4 uploaded and the date it was posted;

5 f. Once the filing party has complied with all of the requirements of
6 Paragraphs 7(a) – (d), and the document is posted on the Web
7 Site, service of the document upon all parties shall be deemed
8 complete. With respect to motions, unless otherwise ordered,
9 the applicable briefing and filing schedules set forth under the
10 California Code of Civil Procedure and the California Rules of
11 Court shall govern. The filing party must call the Court clerk to
12 schedule a hearing date, consistent with these requirements,
13 prior to filing the motion; and

14 g. All documents filed with the Court or served on other parties
15 prior to the set-up of the Web Site, including the Summons and
16 Complaint, shall be uploaded or otherwise submitted to
17 CaseHomePage.

18 8. Immediately upon the posting of any document, Bulletin Board item, or
19 Calendar event on the Web Site, CaseHomePage shall send an email
20 message to those individuals named in the service list provided to
21 CaseHomePage pursuant to Paragraphs 13 and 14 of this ECMO. The
22 email notice from CaseHomePage shall identify each new posting and the
23 file folder in which it is contained. It will also include a link directly to the full
24 text of the document, Bulletin Board item, or Calendar event. Parties are
25 responsible for keeping CaseHomePage advised of current email
26 addresses.

27 9. A party seeking an *ex parte* order must comply with the requirements of the
28 California Code of Civil Procedure and the California Rules of Court.

1 However, notice of an *ex parte* application may be accomplished and shall
2 be deemed given at the time a notice is placed on the Web Site Bulletin
3 Board.

4 10. Counsel and *pro se* litigants shall make entries on the Calendar for all
5 events scheduled by them.

6 11. There is no cost to the Court for the procedures established by this Order.
7 Unless otherwise agreed, each law firm, lawyer, or other party indicated on
8 the original or amended service list shall pay fees and other charges
9 whether or not the Member uses the service. Members that are ninety (90)
10 or more days delinquent in paying their fees and/or charges in full may be
11 disconnected by CaseHomePage without further action from the Court if
12 their accounts are not brought current within fourteen (14) days of receiving
13 notice from CaseHomePage. Notice may be given by CaseHomePage to
14 the delinquent Member in writing or electronically, including via a Bulletin
15 Board message. Reconnection and late charges may apply. A Member
16 which has been disconnected for failure to pay after notice has been
17 provided will be deemed (i) served any documents posted on the Web Site
18 during the period of disconnection and (ii) on notice of all Bulletin Board
19 items and Calendar events posted during the period of disconnection.
20 Access and use of the Web Site are subject to the Terms of Service posted
21 at www.casehomepage.com.

22 12. Each Member shall designate at least one person to receive electronic
23 notification from CaseHomePage. There is no at no additional charge for
24 added designees.

25 13. Within five (5) days, all parties shall provide
26 _____ (the "Liaison") with the following
27 information: (i) name of party; (ii) name of law firm representing party; (iii)
28 attorneys of record at law firm; (iv) address of law firm; (v) phone and fax

1 numbers of law firm; and (vi) email addresses of individuals at law firm
2 designated to receive email notification from CaseHomePage. Within ten
3 (10) days, the Liaison shall provide CaseHomePage with an initial service
4 list for posting on the Web Site which includes the above information. The
5 service list shall be arranged alphabetically by firm name. All parties shall
6 review for accuracy the service list posted to the Web Site.

7 14. The Liaison shall inform CaseHomePage by email whenever any changes
8 to the initial service list occur, and shall provide CaseHomePage with an
9 updated service list reflecting the changes, if any. Once CaseHomePage
10 has been informed by the Liaison that a party has been removed from the
11 case (the "Dismissed Party"), the Dismissed Party's access to the case file
12 shall be terminated (unless the Dismissed Party otherwise indicates to
13 CaseHomePage that it wants to continue the service at the prices listed in
14 Exhibit C, including any price increases thereto). After CaseHomePage
15 receives notice from the Liaison, the Dismissed Party will no longer be billed
16 by CaseHomePage on a going forward basis (unless the Dismissed Party
17 otherwise elects to continue the service), but will remain responsible for all
18 unpaid fees and charges incurred to date. If the Liaison is dismissed from
19 the case, the Court will appoint another party to provide this information to
20 CaseHomePage.

21 15. CaseHomePage will provide the above-listed services until one of the
22 following two events occur: (i) all parties have exhausted their appeals (or
23 all appeal periods have lapsed); or (ii) the Court instructs CaseHomePage
24 to terminate the service.

25
26 **IT IS SO ORDERED.**

27 Dated: _____

28 By: _____
Superior Court Judge