



NEWSLETTER

AVOID A REJECTED E-FILING IN SAN DIEGO SUPERIOR COURT

By Brooke Greene

If you are currently eFiling your documents with the San Diego Superior Court, you know just how much more efficient it can be as opposed to paper filing. In a recent speaking engagement with the San Diego Legal Secretaries Association, Summer Travis of the SDSC stated that the best way to help the court with their backlog of filings is to begin utilizing the permissive eFiling system. Not only will it save you time and money, it minimizes the work for the court clerks, enabling them to return your conformed copies in a much more timely fashion. In fact, most documents are processed and the conformed copies returned to you in less than 48 hours. However, nothing is more frustrating than submitting your documents electronically and subsequently receiving a rejection notice because your eFiling contained a particular error. We want to save you from that exasperation! We recently ran a report on the most common reasons for eFiling rejections in the San Diego Superior Court. There will be a new Instant Expert series on this subject matter available soon for download, but for now here is a quick list of types of common rejection reasons:

- **Documents are not text searchable.** Your documents in their entirety must be submitted in a text searchable format (OCR). If you have a 25 page document and pages 1-24 are text searchable and page 25 is not, your document is subject to rejection. Exhibits attached to a document must also adhere to the OCR requirements. The court requires that it be text searchable because it allows the individual reviewing your document to search for a word or a word phrase within that document. For instruction on how to make a document text searchable, view our [OCR guide](#).

Upcoming Events Calendar

March 12

Estate Planning and Probate Section

12:15 - 1:15 p.m.

Law Offices of Nancy Kaupp Ewin, Esq.
8166 La Mesa Blvd., La Mesa

Topic: TBD

Speaker: TBD

March 17

Family Law Section

12:00 - 1:15 p.m.

East County Court, Dept. 7

250 E. Main Street, El Cajon

Topic: An Overview of Immigration Law and
How it Relates to Family Law

Speaker: Ray Estolano, Esq.

March 31 – Cesar Chavez Day

State Courts Closed

- **Multiple documents are submitted as one PDF.** If you have multiple documents such as a Summons, Complaint and Civil Case Cover Sheet, they must be submitted as individual PDF files. Run-on documents will be rejected. The only exception to this rule is on Notice of Motions. You can read more about submitting a motion in the SDSC's [eFiling Requirements](#). One Legal gives you 120MB of space to work with when uploading documents, so use that to your advantage! Upload as many documents as necessary in individual PDF format in order to avoid rejection.
- **Exhibits are not bookmarked.** Exhibits need to be attached to the document they are supporting and then bookmarked. A bookmark is simply a virtual exhibit tab. The clerk or research attorney reviewing your document needs to be able to click on a link and be taken directly to the exhibit rather than having to search through a voluminous filing in search of an exhibit. For instruction on how to bookmark an exhibit, refer to our [PDF bookmarking guide](#) or attend our [Adobe Acrobat For the Law Office](#) training webinar!
- **Document is submitted upside down.** Be sure to upload your document right side up!

Although it is not a requirement, it is very important for the purpose of document processing to make sure that your document is optimized. If an eFiling is not optimized, it causes problems on the clerk review end of the transaction. The clerk has to save the document as a reduced size PDF, replace the new document with the original, and then apply the stamp. As you can imagine, if the clerk has to do that multiple times on a daily basis it does hinder their efficiency and as a result it can cause a significant delay in the return of your conformed copies. Help the clerks and get your conformed copies back faster by ensuring that your document is optimized. For tips on how to do this, refer to our [Adobe Acrobat guide](#) or attend our [Adobe Acrobat For the Law Office](#) training.

We strongly encourage you to review the San Diego Superior Court's [eFiling Requirements](#). They are incredibly helpful and informative and will aid you in submitting your eFiling without incident. If you are interested in learning more about eFiling in San Diego, sign up for our [San Diego eFiling and eService](#) training.

About the author ... Brooke Greene is a Product Training & Research Specialist with One Legal LLC. She can be reached at Tel. (415) 475-6256 or e-mail: bgreene@onelegal.com. You can obtain more information on Superior Court eFiling by visiting the One Legal website at: www.onelegal.com.

Looking for Speakers for Future FBA Civil Litigation Section Meetings:

If you have a litigation topic you would like to present at an upcoming Civil Litigation Section MCLE meeting, please contact Section Co-Chairs Mark Raftery at mraftery@epsten.com or Elizabeth Smith-Chavez at liz@smithchavezlaw.com.

COURT TRIALS DELAYED: WHAT'S NEXT?

By Keith A. Jones, Esq.

Civil litigators face a common question from prospective clients: “How long will my case take?” California law changed years ago to require California courts to manage the time for civil cases to be brought to trial. Attorneys who have been practicing for a few decades may have encountered, years ago, a motion to extend the time to begin the trial of a civil case beyond the “five year from date of filing” time limit under the previous procedures.

Current California Rule of Court Rule 3.714 states that trial courts should manage unlimited civil cases so that 75 percent are disposed of within 12 months of filing, 85 percent within 18 months, and 100 percent within 24 months. Courts with limited civil cases that involve less than \$25,000 are charged to conclude 90 percent of cases within 12 months of filing, 98 percent within 18 months, and 100 percent within 24 months. Attorneys have undoubtedly informed their clients of these deadlines when asked the common question.

Under CRC Rule 3.714, courts typically scheduled case management conferences within 180 days after civil lawsuits were filed in an effort to keep the cases moving towards disposition. Over the last few years, the public has found their access to courts for civil matters adversely impacted by budget cuts. Courts have closed. Hours that the courts are open have been shortened. Many courts no longer allow filing over the counter due to staff reductions. Arbitration and mediation programs have been suspended. Attorneys and the public had to wonder what would be next.

With a recent amendment to the Rules of Court, the courts can extend the time frames imposed by CRC Rule 3.714 to get civil cases to trial. Intended to be temporary in nature as an “Emergency suspension of rules,” CRC Rule 3.720(b) permits courts by local rules to exempt general civil cases filed before January 1, 2016 from the case management rules provided that alternative procedures are in place for case processing and trial setting.

In one of my recent limited civil case filings, the case assignment notice issued by the court informed me that the case management conference rules had been temporarily eliminated. As the alternate case processing procedure, the court has scheduled a trial setting conference for one year after the case was filed. I now know that this particular case will not be one of the 90 percent of cases that the court intends to dispose of within 12 months. What remains to be seen is whether we will receive a trial date within the 24 month time period.

So next time you're asked by a client how long will his or her civil case take, you may not want to reference Rule 3.714. And you may also wonder, “What's next?”



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The Foothills Bar Association seeks a chairperson for the criminal law section. Responsibilities will involve scheduling speakers for lunch time MCLE programs on topics of interest and providing Section meeting status reports to the Foothills Board of Directors. Interested attorneys should contact Cheryl Stengel at clstengel@outlook.com.

Foothills Bar Association Notice of Board Meeting:

The Foothills Bar Association Board of Directors meets on the third Tuesday of each month. The next meeting will be on March 17, 2015 at the Kriger Law Firm, 8220 University Avenue, 2nd Floor Conference Room, La Mesa, CA. The meeting will begin at 4:45 p.m. If you want your voice to be heard in policy discussion and upcoming events planning or would simply like to learn more about the organization, your attendance is welcome.

The Family Court needs settlement conference judges. Please volunteer and share your expertise.

Contact Kelly Fabros at 619-456-4065 or Kelly.Fabros@SDCOurt.CA.Gov.



**FOOTHILLS BAR ASSOCIATION
OF SAN DIEGO COUNTY**
Service, Professionalism, Collegiality

FOOTHILLS BAR ASSOCIATION FAMILY LAW SECTION MEETING

**Tuesday, March 17, 2015
12:00 pm – 1:15 pm**

LOCATION:

**East County Court House – Department 7
250 East Main Street, El Cajon, CA 92020**

TOPIC:

**“An Overview of Immigration Law
and How It Relates To Family Law”**

SPEAKER:

Attorney Ray Estolano

COSTS:

**Free for members of the Foothills Bar Association
\$10 for Non-Members and Guests (payable at the door)**

**This presentation qualifies for one unit (1.0 credit hour) toward
California Minimum Continuing Legal Education (MCLE).**

**For questions, please contact Traci Hoppes at
(619) 448-6500 or tracihoppes@yahoo.com.**

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SUBMISSIONS

Your submissions are welcome! Send articles, letters, flyers, and other non-advertising submissions to Cheryl Stengel at clstengel@outlook.com.

ADDRESS CHANGES

Send change of address or telephone number to Bradley Schuber at bschuber@krigerlawfirm.com

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