

Chapter 3 – Electronic Filing and/or Delivery

Rule 870 Electronic Filing and/or Delivery in Criminal Cases

Pursuant to Code of Civil Procedure section 1010.6, subdivision (b), Penal Code section 690.5, and California Rules of Court, rule 2.253, documents may be electronically filed with and/or delivered directly to the court. Although not required, parties are encouraged to participate in electronic filing and/or delivery of documents in criminal cases, with the exception of bail bonds.

The electronic filing and/or delivery of documents must be effected using the Court’s electronic systems, including but not limited to portals, applications, platforms and data exchanges. Information regarding the Court’s electronic systems is available on the Court’s website at www.occourts.org.

Electronically filed and/or delivered documents prior to midnight on a court day will be deemed filed as of that day. For purposes of this Rule, filing occurs at the time the document is received by the Court and a confirmation of receipt is created. Any electronically filed and/or delivered document received by the Court at or after midnight or filed and/or delivered on a non-court day, will be deemed filed on the first court day after it is received. This provision concerns only the method and effective date of filing; any document that is electronically filed and/or delivered must satisfy all other legal filing deadlines and requirements. This Rule does not affect the timing requirements for any documents that must be filed by a set time on the due date.

Documents that are confidential by law should include the word “Confidential” in the caption. Pursuant to California Rules of Court, rule 1.201, it is the submitting party’s responsibility to redact confidential information, such as victim information, social security numbers or financial account numbers, so the information will not be publicly disclosed.

Bail bonds shall not be accepted for electronic filing or delivery.

When an electronically filed document requires a signature of a person under the penalty of perjury, the document shall be deemed properly signed if either:

1. The person signs a printed form of the document before the document is electronically filed. The attorney or person filing the document shall maintain the printed form of the document with the original signature until final disposition of the case and make it available for review and copying upon request of the Court or any party to the action.
2. The person signs the document pursuant to California Rules of Court, rule 2.257(b)(1).

This Rule is subject to the provisions set forth in Code of Civil Procedure sections 1010.6 and California Rules of Court, 2.250 and 2.259.

(Adopted effective January 1, 2023)