

SUMMARY OF REQUIREMENTS FOR DOCUMENTS FILED IN ELECTRONIC FORM
(Rev. 09/2017)

**OPENING, RESPONDENT, AND REPLY BRIEFS, AND PETITIONS FOR REHEARING
IN THE COURT OF APPEAL: ELECTRONIC FORM**

As of September 2017, TrueFiling is mandatory for filings by an attorney in every Court of Appeal (except Second District, which starts Oct. 30, 2017). Special exemptions include a self-represented party or an excuse granted by court order under rule 8.71(d).

The Sixth District requires an unbound paper copy in addition to TrueFiling.

All rule references are to the California Rules of Court, unless otherwise designated.

DUE DATES (before any extensions of time)

<p>General Rule 8.71(f)(2)</p>	<input type="checkbox"/> Filing a document electronically does not alter any filing deadline
<p>Appellant's opening brief Rules 8.360(c)(1), 8.412(b)(1), 8.416(e)(1)</p>	<input type="checkbox"/> Criminal, delinquency, and non-fast-track dependency cases: 40 days after record filed, or as court otherwise orders <input type="checkbox"/> Dependency fast-track cases: 30 days after record filed
<p>Respondent's brief Rules 8.360(c)(2), 8.412(b)(2), 8.416(e)(2)</p>	<input type="checkbox"/> 30 days after appellant's opening brief filed
<p>Reply brief Rules 8.360(c)(3), 8.412(b)(3), 8.416(e)(2)</p>	<input type="checkbox"/> 20 days after respondent's brief filed
<p>Dependency non-appealing minor's brief (if any) Rules 8.412(b)(4), 8.416(e)(2)</p>	<input type="checkbox"/> 10 days after respondent's brief filed
<p>Petition for rehearing, answer Rules 8.264(b)(3), (c)(2); 8.268(b), (c); 8.366(a), 8.470</p>	<input type="checkbox"/> 15 days after opinion filed (or upon modification of judgment or publication of opinion after judgment is filed: see rule 8.268(b)) <input type="checkbox"/> no answer may be filed unless court asks for it <input type="checkbox"/> for good cause, presiding justice may grant relief from default from failure to file timely petition or answer if court still has jurisdiction
<p>Paper copy submitted in connection with TrueFiling (Sixth District only) See Sixth District Local Rule 2.e. http://www.courts.ca.gov/33825.htm</p>	<input type="checkbox"/> ordinarily, delivery to carrier or court within two days of TrueFiling <input type="checkbox"/> if immediate stay is sought, court must receive paper copy on day after TrueFiling

FORMAT (Governed by rule 8.204, made applicable to criminal cases by rule 8.360(a) and to juvenile cases by rule 8.412(a)(2))

<p>General Rule 8.74(b)</p>	<input type="checkbox"/> in format specified by court (PDF is allowed in all districts and required in some), text-searchable while maintaining original document formatting <input type="checkbox"/> software for creating and reading must be in public domain or generally available at reasonable cost <input type="checkbox"/> printing of documents must not result in the loss of document text, format, or appearance
<p>Font and type style Rule 8.204(b)(2), (3), & (4)</p>	<input type="checkbox"/> at least 13 point for both text and footnotes <input type="checkbox"/> any conventional font (Times New Roman, Courier, etc.) <input type="checkbox"/> proportionally spaced or monospaced <input type="checkbox"/> type style must be roman, i.e., normal typography, where vertical lines of characters are straight up and down <input type="checkbox"/> italics and boldface may be used for emphasis or the text may be underscored <input type="checkbox"/> headings may be in uppercase letters

LENGTH (Rules 8.204(c) & (d), 8.268(b), 8.360(b), 8.412(a), 8.416(a)(2))

Length	<ul style="list-style-type: none"><input type="checkbox"/> in a criminal, juvenile, or conservatorship case, a brief produced on a computer must be no longer than 25,500 words (including footnotes) and include certificate by appellate counsel or an unrepresented party stating numbers of words in brief (may be based on count of computer program)<input type="checkbox"/> a brief produced on a typewriter must not exceed 75 pages<input type="checkbox"/> cover information, tables, signature block, certificate of word count, and any permitted attachments are excluded from the word count limit<input type="checkbox"/> attachments may include copies of exhibits or other materials in record or regulations, rules, or other citable materials not readily accessible; may not exceed 10 pages without permission of presiding justice; citable unpublished opinion required by rule 8.1115(c) does not count toward the page limit<input type="checkbox"/> petition for rehearing length not specified directly; rule 8.268(b)(3) implies no longer than civil brief (14,000 words per rule 8.204(c))<input type="checkbox"/> presiding justice may allow over-length brief on application showing good cause
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SERVICE AND FILING (Rules 8.70 et seq., 8.360(d), 8.412(e), 8.416(a)(2))

General	<ul style="list-style-type: none"><input type="checkbox"/> filing with Court of Appeal is by TrueFiling, if available, with exceptions for self-represented parties or those to whom the court grants an excuse. Those not using TrueFiling should file hard copies under rules applicable to that format<input type="checkbox"/> service should be by email or TrueFiling if recipient has service email address, otherwise by mail<input type="checkbox"/> see CHEAT SHEET on ADI website home page, www.adi-sandiego.com, for current service addresses
Appellant's opening brief	<ul style="list-style-type: none"><input type="checkbox"/> Court of Appeal, with proof of service<input type="checkbox"/> opposing counsel (generally, Attorney General in criminal and delinquency cases, County Counsel in dependency cases, but may include other respondents)<input type="checkbox"/> superior court judge who handled trial court proceedings<input type="checkbox"/> client<input type="checkbox"/> [appellate counsel for each co-appellant, if any]<input type="checkbox"/> [district attorney in criminal and delinquency cases]<input type="checkbox"/> [minor's appellate counsel, if any, and minor's trial counsel in dependency cases]<input type="checkbox"/> client's trial counsel<input type="checkbox"/> Appellate Defenders, Inc.: eservice-court@adi-sandiego.com
Respondent's brief	<ul style="list-style-type: none"><input type="checkbox"/> mostly same as opening brief, with certain commonsense exceptions
Reply brief	<ul style="list-style-type: none"><input type="checkbox"/> same as opening brief
Petition for rehearing	<ul style="list-style-type: none"><input type="checkbox"/> same as opening brief (note: service on district attorney and superior court not required by rule, but Court of Appeal requests such service)

