

CCAP’S INSTRUCTIONS FOR FILING A PETITION FOR REVIEW IN THE CALIFORNIA SUPREME COURT USING TRUEFILING™

Introduction 2

Serving the Court of Appeal and Other Parties 3

Filing a Petition for Review in the California Supreme Court 4

 1. Initiating the Case..... 4

 2. Uploading the Petition for Review 13

 3. Adding Service Recipients or Selecting File Only Option 17

 4. Submitting the Petition for Review to the California Supreme Court 23

Created 8/31/2017

Introduction

These instructions show how to file a petition for review in a case using the California Supreme Court's version of TrueFiling.

Before filing any documents in the California Supreme Court via TrueFiling, counsel should read the Supreme Court Rules Regarding Electronic Filing, which address the new e-Filing requirements through the TrueFiling system. The full text of the rules are available on the Court's website:

<http://newsroom.courts.ca.gov/news/supreme-court-publishes-efiling-rules>

The projects have been informed that there may be modifications to the Court's electronic filing rules, but we do not have any additional information at this time.

Serving the Court of Appeal and Other Parties

We have heard from panel attorneys that during the first part of the voluntary TrueFiling period in the California Supreme Court, a copy of a petition for review was automatically served on the Court of Appeal. However, we have been informed that this practice has now ended. Now, filing a petition for review via TrueFiling in the California Supreme Court will NOT automatically serve the Court of Appeal with a service copy of the petition. Counsel must serve the Court of Appeal with the petition for review separately. Before filing a petition for review in the California Supreme Court, counsel will need to serve the Court of Appeal with the petition via TrueFiling by doing the following.

In the Third and Fifth District Courts of Appeal, counsel must serve the court by going to the *Court of Appeal's* TrueFiling portal, and filing a service copy of the petition for review in the Court of Appeal. As a result, counsel will complete two transactions in TrueFiling when filing a petition for review: one to file the petition for review using the California Supreme Court's portal in TrueFiling, and one to serve the Court of Appeal using the Court of Appeal's portal in TrueFiling.

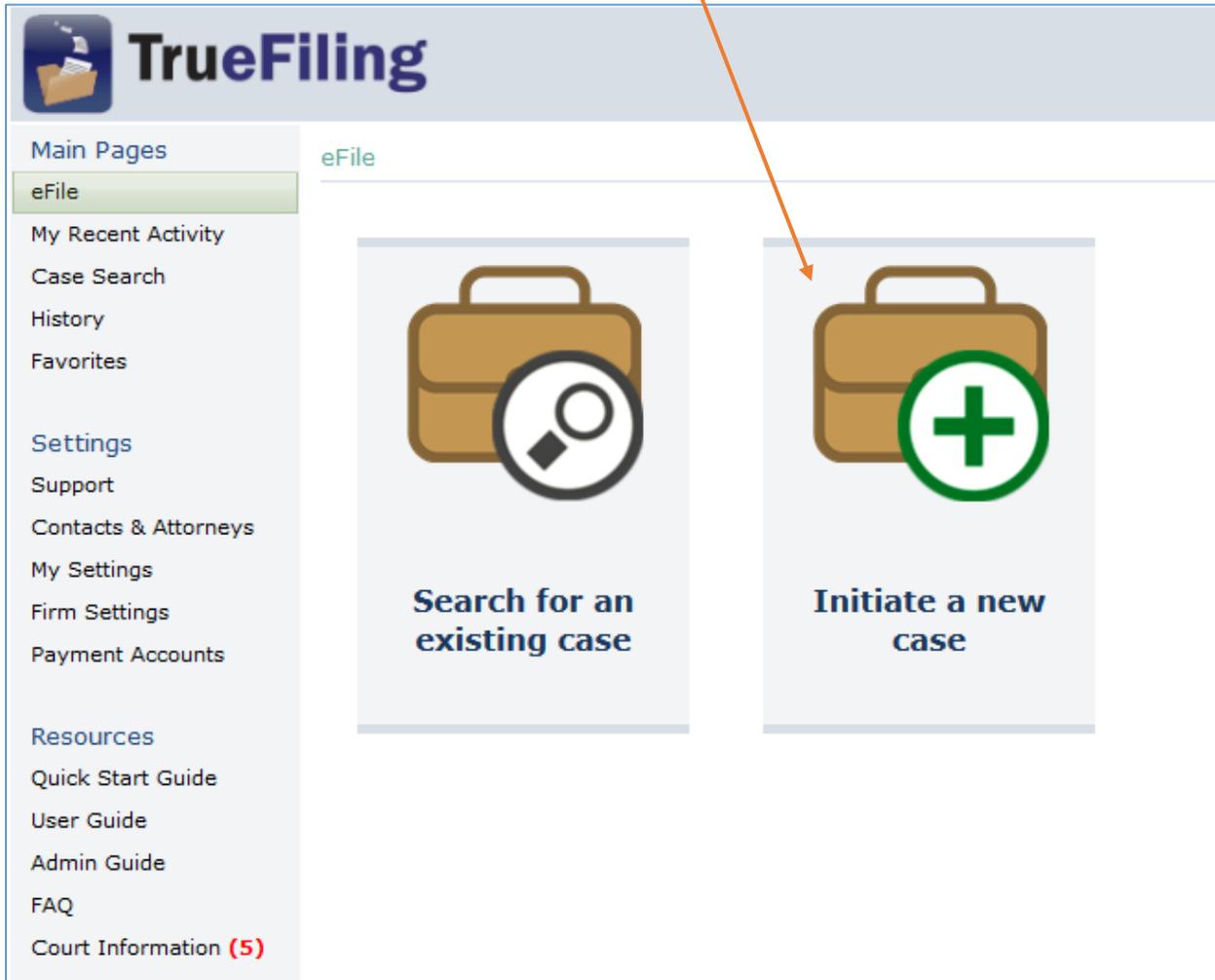
Tip if Using TrueFiling for Eservice of Other Entities

When serving the Court of Appeal with the petition for review, counsel can also serve the other parties who are listed as contacts in the case in the Court of Appeal (for example, the Attorney General, counsel for any coappellants, and CCAP). If counsel is planning to serve these entities via TrueFiling, it may be a more efficient use of counsel's time to serve all entities when the Court of Appeal is served via the Court of Appeal's TrueFiling portal because all the entities that accept eservice should already be added to the case. To serve these entities when the petition for review is filed in the California Supreme Court requires a number of additional steps, which are outlined below.

Filing a Petition for Review in the California Supreme Court

1. *Initiating the Case*

On the eFile page in TrueFiling, select initiate a new case.



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You should see the **Initiate a new case** window. Select **CA Supreme Court** from the Court dropdown menu.

The screenshot shows a software window titled "Initiate a new case". On the left, there is a section titled "Original Proceeding" with the following text: "The California Court of Appeal for the Third District allows Original Proceedings to be e-filed for Civil, Criminal, Juvenile and Juvenile Dependency case types as of August 24, 2015." The main area of the window is divided into three sections: "Select Court", "Select Case Type", and "Select Initiating Attorney or Pro Per Party".

Select Court
I will be submitting a case initiating filing with the following court.
Court: CA 3rd District Court of Appeal
CA 3rd District Court of Appeal
CA 5th District Court of Appeal
CA 6th District Court of Appeal
CA Supreme Court

Select Case Type
CA 3rd District Court of Appeal allows the following case types to be electronically initiated. Please select the appropriate case type. **NOTE:** The court may not be accepting all case types electronically.
Case Type: Civil Original Proceedings

Select Initiating Attorney or Pro Per Party
Initiate the case using the following attorney.
Attorney: Arzbaecher, William
 I am filing without an attorney (Pro Per / Pro Se)
Add New Attorney Create Cancel

Note: If this is your first time filing in the California Supreme Court and the court is not listed, you can add the California Supreme Court by clicking the **Court Lookup** button:

The screenshot shows a web application window titled "Initiate a new case". On the left, there is a section titled "Original Proceeding" with the following text: "The California Court of Appeal for the Third District allows Original Proceedings to be e-filed for Civil, Criminal, Juvenile and Juvenile Dependency case types as of August 24, 2015." On the right, there are three sections: "Select Court" with a dropdown menu set to "CA 3rd District Court of Appeal" and a "Court Lookup" button; "Select Case Type" with a dropdown menu set to "Civil Original Proceedings"; and "Select Initiating Attorney or Pro Per Party" with a dropdown menu set to "Arzbaecher, William", a checkbox for "I am filing without an attorney (Pro Per / Pro Se)", and an "Add New Attorney" button. At the bottom right, there are "Create" and "Cancel" buttons. An orange arrow points from the text above to the "Court Lookup" button.

You should now see the **Select Favorite Courts** window:



Next to the **CA Supreme Court** entry, click **Add Court to Favorites**.

After TrueFiling processes the request, the **CA Supreme Court** entry should now look like this:



Click the **Close** button at the bottom of the page.

Created 8/31/2017

You can now select the California Supreme Court from the dropdown menu:

Select Court

I will be submitting a case initiating filing with the following court.

Court: CA 3rd District Court of Appeal

Court Lo

- CA 3rd District Court of Appeal
- CA 5th District Court of Appeal
- CA 6th District Court of Appeal
- CA Supreme Court

Under **Select Case Type**, select **Criminal Original Proceedings**.

Select Case Type

CA Supreme Court allows the following case types to be electronically initiated. Please select the appropriate case type. **NOTE:** The court may not be accepting all case types electronically.

Case Type: Criminal Original Proceedings

Select Initiating

- Capital Original Proceedings
- Civil Original Proceedings
- Criminal Original Proceedings

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Next, select the attorney who is initiating the case from the dropdown menu.

The screenshot shows a web application window titled "Initiate a new case". On the left, there is a sidebar with the heading "Original Proceeding" and text stating: "The **Supreme Court of California** allows Original Proceedings to be e-filed for **Civil**, **Criminal**, and **Capital** case types as of **July 10, 2017**." The main content area is divided into three sections: "Select Court" with a dropdown menu set to "CA Supreme Court" and a "Court Lookup" button; "Select Case Type" with a dropdown menu set to "Criminal Original Proceedings"; and "Select Initiating Attorney or Pro Per Party" with a dropdown menu set to "Kirchner, Joanne". Below the attorney dropdown is a checkbox labeled "I am filing without an attorney (Pro Per / Pro Se)". At the bottom of the form are three buttons: "Add New Attorney" (with a plus icon), "Create", and "Cancel". An orange arrow points from the "Create" button to the text "Click Create." below the screenshot.

Click **Create**.

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You should see the **Original Proceeding – Criminal window**. You will start with the **Case Information** tab. Provide a **Case Title**, the **Lower Court/Review Board Case Number**, and select a **Lower Court** from the dropdown menu. Check the box if a stay is requested. Click **Next** when you are finished.

Original Proceeding - Criminal

1. Case Information 2. Submitting/Filing Parties 3. Opposing Parties

To initiate an original proceeding, complete this page and the Submitting/Filing Parties and Opposing Parties pages that follow.

Case Title*

Lower Court/Review Board Case Number

Lower Court

Stay Requested

Validation Issues

Next >> Cancel

Note: If you are missing any required information, you will not be able to move forward and the error will appear in the **Validation Issues** box.

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You should now be on the **Submitting/Filing Parties** tab. Type your client's information into the **Party #1** section and your information into the **Attorney for Party** section. Click **Next** when you are finished.

Original Proceeding - Criminal

1. Case Information **2. Submitting/Filing Parties** 3. Opposing Parties

Add Party

Party #1 Pro Per

Last or Business	First	Middle	Email
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Add Attorney

Attorney for Party

Last or Business	First	Middle	Email	Attorney Number
<input type="text"/> X				

Validation Issues

<< Previous Next >> Cancel

Note: If you are missing any required information, you will not be able to move forward and the error will appear in the **Validation Issues** box.

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You should now be on the **Opposing Parties** tab. Fill in the **Party #1** section (for most court appointed appeals, the opposing party will be “The People of the State of California”). Then fill in the **Attorney for Party** information (for most court appointed appeals, this will be the “Attorney General”) in the **Last or Business** box. Include the opposing party’s eservice email address (the Attorney General’s eservice address is sacawttruefiling@doj.ca.gov) in the **Email** box.

Original Proceeding - Criminal

1. Case Information 2. Submitting/Filing Parties 3. Opposing Parties

Add Party

Party #1 Pro Per

Last or Business First Middle Email

 Add Attorney

Attorney for Party

Last or Business First Middle Email Attorney Number

 X

Validation Issues

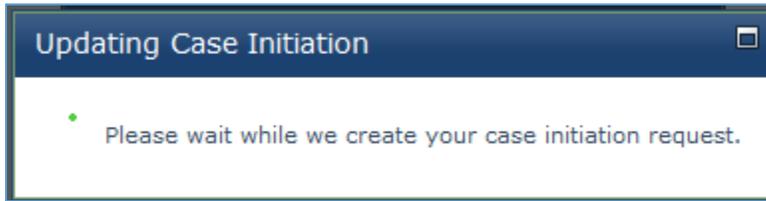
<< Previous Finish Cancel

Note: If you are missing any required information, you will not be able to move forward and the error will appear in the **Validation Issues** box.

Click **Finish** when you are done entering the opposing party information.

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You should see the following message:



2. *Uploading the Petition for Review*

Next, you should see the **Bundle Details** page for the case you just initiated.

TrueFiling Central California Appellate Program
jkirchner@capcentral.org help Logout

Information: This bundle has not yet been submitted to the Court. Please confirm that you have uploaded all filings you want to include in this bundle, verified the service recipients and reviewed the payment information prior to clicking Submit.

Bundle Details

Case Initiation for TEMP-75D85YQ

Case Title: People v. Smith
Case Number: TEMP-75D85YQ
Court: CA Supreme Court
Filing Attorney: Joanne Kirchner (261857)
Client Matter Number: (none)
Created By: jkirchner@capcentral.org

Steps Remaining Before Submitting

Case initiating bundles must contain a petition or a motion.

Filings

Document Title	Filing Type	Fees	Uploaded File	Actions
Case Initiation Form	ISI_CASE_INIT_FORM_DT	\$0.00	View File	

Filing Fees

Filing Fees	
Total	\$0.00

No fees for this bundle.

The bundle contains validation issues and cannot be submitted to the court until resolved.
Please correct all of the issues listed in the **Bundle Validation Errors** section.

Submit

You will see error messages because you have not uploaded the petition for review yet.

Under the **Filings** section, provide a **Document Title**.

Steps Remaining Before Submitting

Case initiating bundles must contain a petition or a motion.

Filings

Document Title* Filing Type* File (Max Size: 25 MB)*
No file selected.

Document Title	Filing Type	Fees	Uploaded File	Actions
Case Initiation Form	ISI_CASE_INIT_FORM_DT	\$0.00	View File	

Created 8/31/2017

For **Filing Type**, select **Petition for Review** from the dropdown menu.

Case Number	TEMP-75D85YYQ	 Edit Service Recipients / Bundle Properties
Court	CA Supreme Court	
Filing Attorney	Joanne Kirchner (261857)	
Client Matter Number	(none)	
Created By	jkirchner@capcentral.org	

Steps Remaining Before Submitting

 Case initiating bundles must contain a petition or a motion.

Filings

Document Title*
<input type="text"/>

- INFORMAL RESPONSE - \$0.00
- LETTER - \$0.00
- LETTER BRIEF - \$0.00
- LETTER BRIEF - ERRATA - \$0.00
- MOTION - \$0.00
- MOTION TO REINSTATE - \$0.00
- NOTICE OF UNAVAILABILITY - \$0.00
- OPPOSITION - \$0.00
- PETITION FOR REVIEW - \$0.00**
- PRELIMINARY OPPOSITION - \$0.00
- PRO HAC VICE APPLICATION - \$0.00
- PROOF OF SERVICE - \$0.00
- REPLY - \$0.00
- REPLY TO ANSWER TO PETITION FOR REVIEW - \$0.00
- REPLY TO INFORMAL RESPONSE - \$0.00
- REQUEST - \$0.00
- REQUEST FOR DISMISSAL - \$0.00
- REQUEST FOR JUDICIAL NOTICE - \$0.00
- REQUEST FOR STAY - \$0.00
- REQUEST TO DE-PUBLISH OPINION - \$0.00

When you are finished, upload the petition for review to TrueFiling.

Notes for petitions for review that will be TrueFiled:

- (1) Instructions on how to bookmark and paginate documents (including petitions for review), and instructions on how to consecutively paginate and attach a Court of Appeal opinion to a petition for review, are available on CCAP's step-by-step TrueFiling guides webpage:

http://capcentral.org/procedures/truefiling/step_tf_guides.asp

Please note that we have heard from a number of attorneys that petitions for review filed via TrueFiling with Court of Appeal opinions that were not consecutively numbered to follow the numbering of the petition for review were rejected. We have also heard reports that the Court has rejected petitions for review where the opinion was submitted as a separate document in TrueFiling.

- (2) CCAP has created a sample Proof of Service to use for TrueFiling. It is available on CCAP's TrueFiling e-service webpage: http://capcentral.org/procedures/truefiling/eservice_tf.asp. A Proof of Service (POS) should be included within every petition for review that is TrueFiled. It should *not* be filed as a separate document. The POS may be placed before or after the Court of Appeal opinion. (Placing the POS at the

end of the petition, but before the coversheet for the Court of Appeal opinion and the opinion, may make it easier for some counsel to bookmark the POS, depending on what method counsel uses for creating bookmarks.)

- (3) For documents that are electronically filed via TrueFiling in noncapital appeals, the filer must also submit to the Court two bound paper copies of the document (these must be an exact copy of what was submitted to the Court electronically, i.e., the pagination should be exactly the same). The paper copies must be delivered personally, by express mail, or by other means reasonably calculated to ensure delivery of the copies to the Court not later than the close of business two court days after the document is filed electronically with the court. If the filing requests an immediate stay, the paper copies must be delivered to the Court by the close of business the next court day after the document is filed electronically. (Supreme Court Rules Regarding Electronic Filing, rule 5(a).)

Because the rule requires express mail delivery, those costs may be submitted with your final claim. However, they should be separately identified in your postage comment.

- (4) Under the California Supreme Court Rules Regarding Electronic Filing, rule 8, a TrueFiling username and password is the equivalent of an electronic signature for a registered attorney or party. An “/s/” is not required to appear before the attorney’s or party’s printed name.

Please note, however, that counsel must maintain a printed form of certain documents (including the proof of service, word count certificate, and documents signed under penalty of perjury) with the declarant’s/attorney’s original signature. (See Cal. Rules of Court, rules 8.75(a), 8.78(f)(3).)

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Once you have verified that your document complies with the California Rules of Court and the California Supreme Court Rules Regarding Electronic Filing, click **Browse** and locate the petition for review that you prepared on your computer.

Document Title	Filing Type	Fees	Uploaded File	Actions
Case Initiation Form	ISI_CASE_INIT_FORM_DT	\$0.00	View File	

After you have selected the appropriate file, click the **Upload** button.

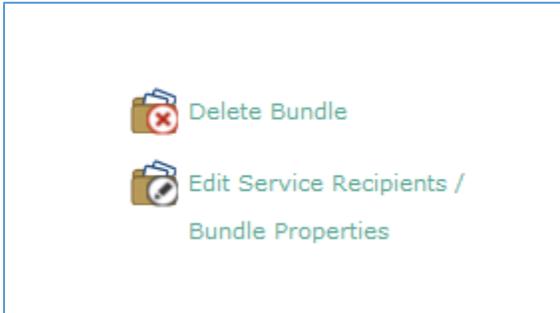
You should now see the petition for review loaded on the **Bundle Details** page:

Document Title	Filing Type	Fees	Uploaded File	Actions
Case Initiation Form	ISI_CASE_INIT_FORM_DT	\$0.00	View File	
Wright Petition Review	PETITION FOR REVIEW	\$10.50	View File[875 kb]	✕ ↻

You will also see that the validation error messages are now gone.

3. Adding Service Recipients or Selecting File Only Option

Next, click on **Edit Service Recipients / Bundle Properties** link in the middle of the **Bundle Details** page.



You should see the **Update Bundle** window for the case:

Update Bundle for People v. Wright

Important Notification for Service Recipients
Please be advised service recipients who are not parties to the appeal may appear on the service list below. When using TrueFiling as your process server, carefully review the listed service recipients, especially with regard to serving confidential material.

Bundle Name* Case Initiation for TEMP-32B1JJ1S

Filing Attorney* Theresa Schriever (308781)

Filing Option* File & Serve

Client Matter Number

Service Recipients

Firm: Central California Appellate Program

Attorneys

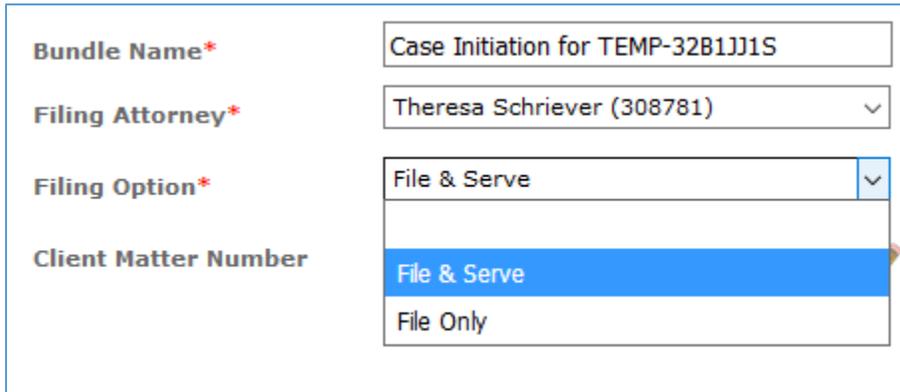
<input checked="" type="checkbox"/> Include?	Theresa Schriever (308781) tschriever@capcentral.org	2150 River Plaza Drive, Suite 300 Sacramento, CA 95833 Phone: 916-441-3793	e-Service
--	---	--	-----------

Add Service Recipient

OK Cancel

Created 8/31/2017

Under Filing Option, select either the **File & Serve** option or the **File Only** option.



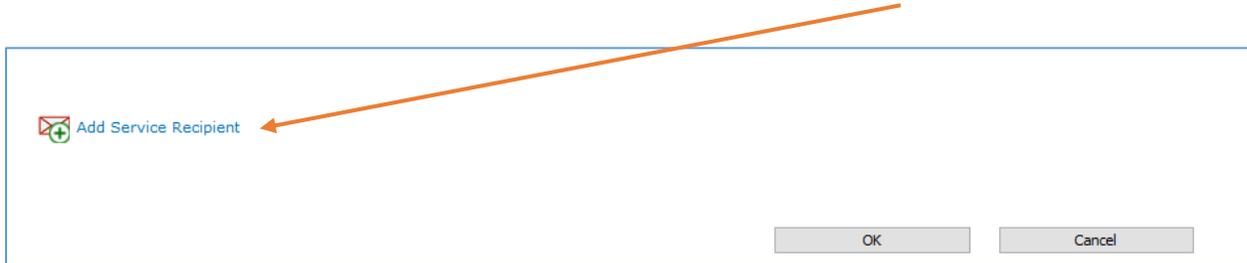
The screenshot shows a form with four fields:

- Bundle Name***: Case Initiation for TEMP-32B1JJ1S
- Filing Attorney***: Theresa Schriever (308781)
- Filing Option***: A dropdown menu is open, showing "File & Serve" (highlighted in blue) and "File Only".
- Client Matter Number**: (Empty)

You have the option of having TrueFiling serve listed entities (which you will need to add) via the California Supreme Court’s TrueFiling portal, but see the tip under *Serving the Court of Appeal and Other Parties* above.

If you want to serve any parties or entities via the California Supreme Court’s TrueFiling portal, select **File & Serve** and follow the steps below to add service recipients.

In the bottom left-hand corner of the page, click on the **Add Service Recipient** link.



The screenshot shows a dialog box with the following elements:

- A link labeled "Add Service Recipient" with a small icon to its left. An orange arrow points to this link from the top right.
- Two buttons at the bottom right: "OK" and "Cancel".

Created 8/31/2017

You should see the **Service Recipient** window:

The screenshot shows a window titled "Service Recipient" with a blue header bar. Below the header is a yellow notice box with red text: "Notice: A service recipient added through this screen is not added as a case contact but is added as a service recipient for this bundle only." Below the notice is a section titled "Contact Information" with a horizontal line. The form contains the following fields: "First Name" and "Last Name" (two text boxes), "Address" (one text box), "City" (text box), "State" (dropdown menu), and "Zip" (text box). Below these are "Email Address" (text box), "Phone" (three boxes: (), , -), and "Fax" (three boxes: (), , -). At the bottom right are "OK" and "Cancel" buttons. A vertical scrollbar is on the right side of the window.

Created 8/31/2017

Type in the service recipient's information:

Service Recipient

Notice: A service recipient added through this screen is not added as a case contact but is added as a service recipient for this bundle only.

Contact Information

First Name: Darren Last Name: Indermill

Address: [Empty]

City: [Empty] State: [Dropdown] Zip: [Empty]

Email Address: SacAWTTrueFiling@doj.ca.gov

Phone: ([Empty]) [Empty] - [Empty]

Fax: ([Empty]) [Empty] - [Empty]

OK Cancel

Click **OK**.

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You should see the **Update Bundle** window for the case and the service recipient you added should now be listed under **Service Recipients, Additional Service Recipients (Are not case contacts)**:

Update Bundle for People v. Wright

Important Notification for Service Recipients
Please be advised service recipients who are not parties to the appeal may appear on the service list below. When using TrueFiling as your process server, carefully review the listed service recipients, especially with regard to serving confidential material.

Bundle Name* Case Initiation for TEMP-32B1JJ1S
Filing Attorney* Theresa Schriever (308781)
Filing Option* File & Serve
Client Matter Number

Service Recipients
Firm: Central California Appellate Program

Attorneys
 Include? Theresa Schriever (308781) 2150 River Plaza Drive, Suite 300 e-Service
tschriever@capcentral.org Sacramento, CA 95833
Phone: 916-441-3793

Additional Service Recipients (Are not case contacts)

Contacts
 Include? Darren Indermill e-Service
SacAWTTrueFiling@doj.ca.gov X

Add Service Recipient

OK Cancel

Check the box next to the service recipient's name.

Service Recipients
Firm: Central California Appellate Program

Attorneys
 Include? Theresa Schriever (308781) 2150 River Plaza Drive, Suite 300 e-Service
tschriever@capcentral.org Sacramento, CA 95833
Phone: 916-441-3793

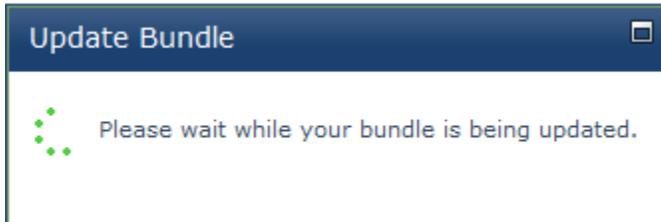
Additional Service Recipients (Are not case contacts)

Contacts
 Include? Darren Indermill e-Service
SacAWTTrueFiling@doj.ca.gov X

Created 8/31/2017

Repeat these steps to add additional service recipients.

Click **OK** at the bottom of the window when you are finished and you should see the following message:



You should now see the **Bundle Details** page:

Information: This bundle has *not* yet been submitted to the Court. Please confirm that you have uploaded all filings you want to include in this bundle, verified the service recipients and reviewed the payment information prior to clicking Submit.

Bundle Details

Case Initiation for TEMP-32B1JJ1S

Case Title	People v. Wright
Case Number	TEMP-32B1JJ1S
Court	CA Supreme Court
Filing Attorney	Theresa Schriever (308781)
Client Matter Number	(none)
Created By	jkirchner@capcentral.org

 Delete Bundle

 Edit Service Recipients / Bundle Properties

Filing Fees	\$0.00
Convenience Fees	\$10.50
Total	\$10.50

[Add Account](#)

Payment Account:

or

Filings

Document Title	Filing Type	Fees	Uploaded File	Actions
 <input type="text"/>	<input type="text"/>		<input type="button" value="Browse..."/> No file selected.	<input type="button" value="Upload"/>
 Case Initiation Form	ISL_CASE_INIT_FORM_DT	\$0.00	View File	
 Wright Petition Review	PETITION FOR REVIEW	\$10.50	View File[875 kb]	 

4. *Submitting the Petition for Review to the California Supreme Court*

When you have finished adding service recipients or selecting the file only option, select your payment account and click **Submit**.

Filing Fees	\$0.00
Convenience Fees	\$10.50
Total	\$10.50

Add Account

Payment Account

or

After you click **Submit**, you should see the following message:

Submit Bundle

The contents of this bundle will be **E-FILED** to the court and **E-SERVED** on the selected parties. Are you sure you wish to submit this bundle?

Click **OK**. You should see the following **Bundle Submitted** window:

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Click **Close**.

You should now see the **Bundle Details** page with a green ribbon stating that the bundle was submitted to the court.

Information: This bundle was successfully submitted to the Court on 7/19/2017 at 5:16 PM. Click the *Download* link(s) to view your filing(s) throughout each stage of processing.

Bundle Details

Case Initiation for TEMP-32B1JJ1S

Case Title	People v. Wright	 Proof Of Service
Case Number	TEMP-32B1JJ1S	 View Service Recipients /
Court	CA Supreme Court	Bundle Properties
Filing Attorney	Theresa Schriever (308781)	
Client Matter Number	(none)	
Created By	jkirchner@capcentral.org	

Filings

Document Title	Filing Type
 Case Initiation Form	ISI_CASE_INIT_FORM_DT
 Wright Petition Review	PETITION FOR REVIEW