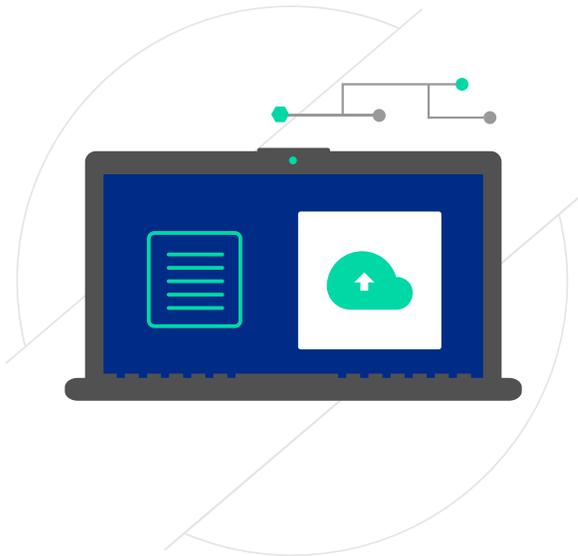


The Complete Beginner's Guide to

# eFiling in 2021 and Beyond





For nearly a decade, a major change has been driving through the California court system transforming litigation support services for the better: the transition to civil eFiling. But that change didn't hit the tipping point until one of the largest court systems in the world, Los Angeles Superior Court, started migrating to eFiling in December 2018.

For the legal professional who needs to keep up with the new eFiling changes or wants to ramp up their eFiling savviness, this step-by-step guide teaches everything you need to know for eFiling in 2021 and beyond.

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[Are you an eFiling novice?](#)

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# What is eFiling?

Let's begin the eFiling journey by understanding what eFiling is, and how the courts define the role of an electronic filing service provider (EFSP).

The 2021 California Rules of the Court defines eFiling this way:

*"The electronic transmission to a court of a document in electronic form."*

And, this is how the court rules define, "electronic filing service provider":

*"An 'electronic filing service provider' is a person or entity that receives an electronic filing from a party or other person for retransmission to the court or for electronic service on other parties or other persons, or both."*



The electronic filing service provider (EFSP) submits filings on behalf of the electronic filer. The EFSP is not acting as an agent of the court.



When a court decides to accept electronic filing, it may implement it in different ways. Sometimes a court initially begins with permissive eFiling, and later makes it mandatory, or vice versa. Other courts can start with permissive or mandatory for certain case types and then add other case types later as voluntary or involuntary.

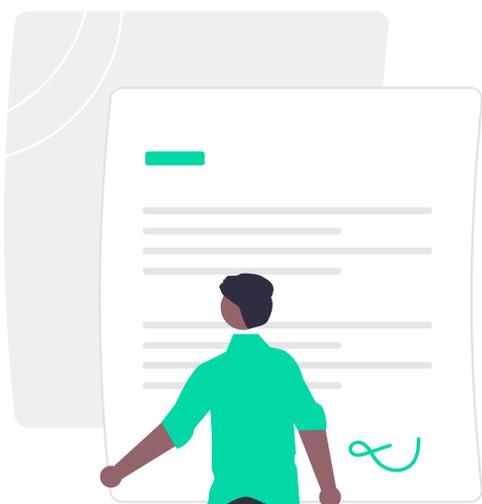
If you're unsure about the differences between mandatory and permissive as they apply to electronic filing, here is how the California court defines each type.

### **Permissive electronic filing by local rule**

"A court may permit parties by local rule to file documents electronically in any types of cases, subject to the conditions in Code of Civil Procedure section 1010.6 and the rules in this chapter." (From 2021 California Rules of Court, Rule 2.253.)

### **Mandatory electronic filing by local rule**

"A court may require parties by local rule to electronically file documents in civil actions directly with the court, or directly with the court and through one or more approved electronic filing service providers, or through more than one approved electronic filing service provider..." (Complete conditions and rules for mandatory eFiling appear under Rule 2.253 of the 2021 California Rules of Court.)



# Don't let the e's confuse you

It's an E, E, E, E world out there, thanks to a workplace saturated with technology. That is not a problem for the most part, since technology is the rainmaker of efficiency.

However, technology can muddy the terminology that is used for electronic filing. One of the biggest perpetrators of this confusion is the letter "e", which is popularly used as a prefix for invented words.

There are at least three "e"-prefixed words in the electronic file and serve lexicon that, at first glance, may seem related. In fact, they refer to very different processes used by various courts and cannot be used interchangeably.

Here are three terms you should learn to distinguish before you move to an eFiling workflow.

"e" Term	What it means
eFiling	The electronic transmission to a court of a document in electronic form.
eService	A method of electronically notifying parties about a document that has been filed or submitted. eService allows all the documents that need to move back and forth between the parties or their counsel to flow electronically.
eDelivery/eSubmit	A platform – or web portal – that allows parties to submit electronic (PDF) versions of documents in place of the original directly to individual courts. eDelivery is not fully integrated or automated, and requires a court clerk to manually input into court case management system.

If you want even more clarification about these terms, a chart in the article [Did You Know? eFiling vs. eDelivery and eSubmit Are NOT the Same!](#) explains the differences in depth. You can also use the chart as a reference to see at-a-glance which California courts offer eFiling, eDelivery/eSubmit and physical filing.

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# Why eFiling Affects You?

Since eFiling began in California courts during the early 2000s, it has charted a steady path upward. This one-way growth suggests that sooner or later, eFiling will become the law of the land.

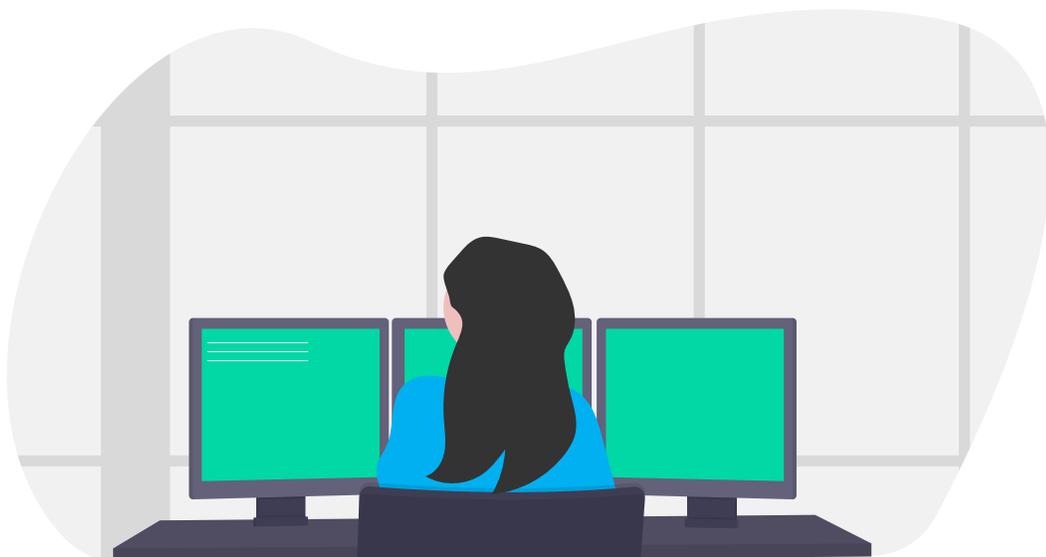
If that seems dubious, consider a few statistics:

There are 58 trial courts in California; one for each county. As of fall 2021, eFiling became mandatory or permissive in 26 California Superior Courts, making it part of the workflow for law firms in more than 44% of the state's counties.

Electronic filing is accepted in areas with the largest concentrations of people and businesses in the Golden State, including Los Angeles Superior Court, which is the largest trial court in the United States.

Outside of Los Angeles, cases are filed electronically in Superior Courts in San Francisco, San Diego, Riverside, and Orange County, plus many more.

Based on the current numbers, it could be said there are two types of law firms in California: Those that currently use eFiling, and those that soon will be.



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# Now What? How to Shop for an eFiling Service Provider (EFSP)

Don't wait until the first day eFiling is required to find an EFSP. This is especially true for firms that are new to electronic filing. An experienced and qualified EFSP can act as your wing man through the startup process and help you avoid mistakes and delays that are common among first-time eFilers.

How do you recognize this vendor? There are five categories you should consider as you conduct vendor interviews:

- 
- Scope of service
  - Performance and productivity
  - Domain knowledge and expertise
  - Performance metrics
  - References



# Here is how to use each category to guide your discussions:

## Scope of service:

The first thing to look for is a vendor that files into all the California courts that have eFiling available. That means all of them. Not a few, not some, not even most. You need a vendor that files with 100% of the California courts that accept eFiling. That way, you and your team don't have to manage several vendors and systems to eFile into courts. ([Those courts are listed here.](#))

You'll also want to know whether the vendor you're interviewing offers other critical litigation support services and has a well-documented performance and acceptance rate with the courts.

## Performance and productivity:

Does the vendor offer eFiling through a portal, application programming interface (API) or both? The right partner should offer both because that gives it the greatest extensibility and flexibility to integrate with other computer applications like practice management systems and more.

Your vendor should also tell you whether court-stamped documents are returned quickly and reliably, and whether it makes custom reports and analytics available.

## Domain knowledge and court filing expertise:

Any vendor can say they have experience. That's an easy claim. What you need to know from a vendor that wants to be your preferred provider, though, is the level of experience that vendor has with eFiling and/or physical filing throughout the California court system.

You'll also want to ask about customer support options and additional litigation support services the vendor offers.

How are you able to reach the vendor? Via phone? Email? Chat? All three? The ideal partner will offer multiple means of communication to reach them. And keep in mind, a vendor that doesn't have a portal that provides a single point of access to all courts and multiple court services is probably not a vendor that will serve you well.

## Performance metrics:

What turnaround times are offered by each prospective vendor partner? This is important information to understand because it will give you an idea about how efficiently and effectively the vendor can execute its services for you. Likewise, before you make a decision, each vendor should provide its eFiling success rates, user behavior, and order data.

## References:

Track records matter. Reputation matters. What courts say about an EFSP certainly matters. As you interview potential vendors, be sure to ask them for court and customer references to contact.

[Free Download:](#)

[Access the EFSP Checklist Now](#)

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# Are Multiple Vendors Better Than One?

What happens if you find more than one vendor that you like? Or, does it make better business sense to work with a single, preferred EFSP or multiple EFSPs? You're not the first law firm to face this dilemma.

Traditional supply chain wisdom has favored the multiple vendor model for its redundancy and backup. Those reasons were not unsound in the 20th century, but this is the 21st century and the product in question is not a widget or commodity.

## Single, Preferred Vendor Advantages

### Pricing Discounts:

From a strategic standpoint, amplifying spend not only places you in a stronger position to ask for volume discounts, but it also makes it more likely you'll receive additional perks such as hands-on, personalized customer care, or first access to new technologies.

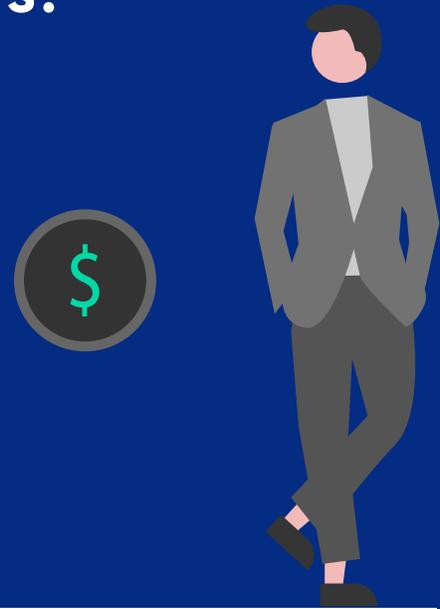
But why restrict pricing discounts to eFiling only? If the volume of your work is spread among several different services, you expand the number of services on which you may receive pricing discounts, such as process service, document retrieval, courtesy copy delivery, county recording, and more.

### More Time for Billable Tasks:

Billable hours are the lifeblood of any law firm and every minute that staff members spend on overhead tasks drives up the cost of doing business. Over time, a law firm may lose significant amounts of billable hours to activities associated with the multiple vendor model.

# What cuts into billable hours?

- Conducting multiple vendor interviews
- Soliciting bids
- Learning a new vendor's systems
- Managing multiple vendors
- Monitoring the quality of work from several sources



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It's also a fact that when support staff train on only one vendor's system and repeat those tasks many times, each staff member becomes more efficient, creating greater bandwidth for billable tasks.

## Visualize Better Performance through Partnership:

When you choose to work with a vendor who sees you as a true partner, you unlock the potential for system-to-system integrations that will save you even more time and money.

How much more? The answer depends on your needs and creativity, but here is an example: You make reconciling invoices and expenses for fee motions so efficient that it saves the cost of one full-time employee. Find out more about this benefit in [How Law Firms Can Get Better eFiling Pricing and Service with a Single, Preferred Vendor.](#)

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# Know the Rules Before You eFile

Every California county's court eFiling rules are different, and those who eFile without knowing those rules do so at their peril.

To vastly improve your eFiling's chances of success, simply check your county's rules. Other resources and useful court links can be found here.

If you don't know the rules, there is a good chance your eFiling may be rejected by the court. In this next section, find out how to reduce the likelihood that your future eFilings will be rejected, and what you can do if it happens to you.

## Learn the Rules

There is no "grey area" when it comes to electronic filing in California civil court. Make your eFiling rejection-resistant before you submit your first order by reading, Strict eFiling Requirements Enforcement and What it Means for You.

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# What if My eFiling is Rejected?

You've been rejected. It's not the end of the world, but it may be the end of your relationship with your client.

About 1 in 10 electronic filings can be rejected by the court. When eFilings are rejected, they may cause a statutory deadline to be missed or jeopardize a case in another way, creating an unfortunate domino effect that ends with your client finding another law firm.

## Here are the common reasons a court may reject an eFiling:

- Party's name does not match the name listed on the initial lead document
- Incorrect case type has been selected
- Incorrect document type has been selected
- Wrong case number has been listed somewhere on the filing
- Wrong court location has been selected.

Issues with the filing itself, like uploading the wrong filing, submitting the filing in the wrong format, having the wrong name on the saved filing, improper scanning, or not including the required attachments.

So, it's probably not surprising that eFiling rejection rates hover between 10-15%, depending on the court. That equates to 1 – 1.5 out of 10 court eFilings being rejected! What can be done?

To minimize eFiling rejections, Rapid Legal created two solutions – [Expert Review](#) and [Concierge Service](#). Both can help assure greater success across your eFiling initiative and may be especially useful for very complex cases or cases for your clients who demand the highest level of accuracy.

Where electronic filing is concerned, the best way to manage rejections is to prevent them from ever happening. That may sound like a tall ask, but it's easier than you may think.

# How to avoid a court filing rejection at the court:

## ✓ Triple-check everything.

It's always a good habit to double-check your work. Is that enough? Usually yes, but when it comes to court documents, you should always take the time to give them one last review before sending them to be filed. That last review can be crucial in catching a wrongly dated form or a missing signature, even an out-of-date Proof of Service. When you've finished filling in a form or titling a document, check it. When it looks good, check it again. Before sending it, check it one more time. Your client, your case or your reputation could depend on it.

## ✓ Sign and date everything.

This might sound self-explanatory, but a missing signature is a surefire way to have your documents rejected by the court. Even if the window clerk misses it, you can bet the clerk of the department won't. This is a very common pitfall for court rejections. Consider yourself warned (wink).

## ✓ Be understanding of the clerks.

The clerks hold the ultimate power. They can decide whether to file your documents simply based on the kind of day they're having. Okay, not all clerks are mean or spiteful, but like everyone, they don't like to do extra work for a bunch of random individuals bugging them while they attempt to get their work done. Do you? Every time you must ask a clerk in the department to schedule a hearing date, approve a date or to argue a rejection, that's extra work for them and they hate it. So always treat them with respect and be courteous – hello, have a nice day, thank you – it all goes a long way.

## ✓ Know what you're filing.

Not every document should be treated the same. A Request for Dismissal may be okay to leave at the window, but a Stipulation and Order might need to go to a specific department. These documents might be similar, but they are not the same. Know where they go. You don't want to waste your time or the clerk's time by getting in the wrong line or having your documents sent to the wrong place.

## ✓ Know the local rules.

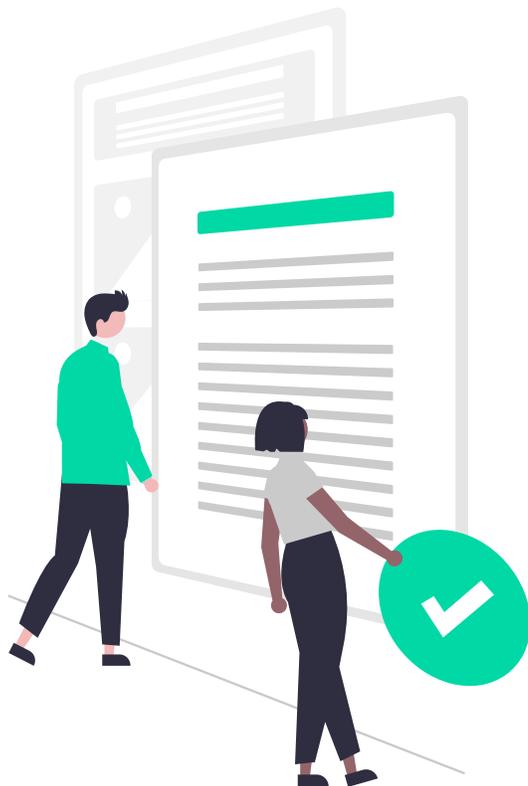
Many documents may look the same with very similar sounding titles but that doesn't mean they are treated the same. Said another way, not all documents are created equal. There may be a specific document that requires having a hearing set by the department clerk before filing or a fee that needs to be paid before being received and filed later. Some courts may require a specific cover page to be filed with all new cases. If you aren't sure about what's required, court websites have plenty of information regarding filings. Also, if you need a specific form, they usually have them available on their website or they're just a simple Google search away.

# Avoid PDF Peril

Don't make the rookie mistake of submitting electronic documents in the wrong format. This is particularly important for Portable Document Format (PDF) files.

Before you eFile, check the local court's rules about saving Portable Document Format (PDF) docs in a text-searchable format. Also, find out if you need to create your PDFs with a specific application such as Adobe Acrobat Version 7 (or higher).

You'll increase your chances of eFiling success and reduce the likelihood of missing a time-sensitive court deadline.



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# Who's Who in eFiling

There are many key stakeholders that are involved in the submission, transmission and completion of California court eFilings. As a certified Electronic Filing Service Provider (EFSP) for 26 California courts and counting, we examine the main stakeholders of the California Court eFiling system. Who are the players? What are their roles? And why are they important?

## Key Stakeholder 1: The eFiling User

An eFiling user is a user of the eFile case's Electronic Filing Service Provider (EFSP) and typically places an order and/or submits the case. This person may be the case initiator or the point of contact throughout the life of the case. There could be many eFiling Users for one case. Examples of an eFiling user include Paralegal, Office administrator, Attorney, Secretary, Pro-pers, EFSP Operations user, EFSP customer, court runner, field agent, and more.

## Stakeholder 2: Case Participants

A case will consist of case participants which are people, businesses, or organizations involved in the case. This usually consists of a plaintiff (a person who brings a case against another in a court of law) and a defendant (in a civil suit, the person complained against; in a criminal case the person accused of the crime).

## Stakeholder 3: Electronic Filing Service Provider (EFSP)

As mentioned above, an eFiling user places an order via an Electronic Filing Service Provider (EFSP), which is a company whose online portal has been certified to transmit documents to a court via an integration with an Electronic Filing Manager (EFM), such as Tyler or Journal Technologies (JTI). In addition to providing eFiling services, an EFSP also typically provides value-added services, training, and support to eFiling users.

As a certified Electronic Filing Service Provider (EFSP) for more than 20 courts, Rapid Legal's technology is integrated with various court Electronic Filing Managers (EFM). These integrations enable filers to electronically file documents directly with the Court through Rapid Legal's portal.

# Credibility by the Numbers

Nothing speaks to an EFSP's experience and performance like numbers. These data points explain why Rapid Legal has a reputation for excellence among legal professionals.

**1,000,000**

More than 1 Million  
Orders Placed

**2,000,000**

More than 2 Million  
Documents Processed

**10,000**

More than 10,000  
Customers Served  
Nationwide

## Stakeholder 4: Technology Provider of Electronic Filing Manager (EFM) Software

Next, the **Electronic Filing Manager (EFM)** acts as an intermediate system on the Court's side. This is the system that receives the filings and processes them for the court clerks to view and manage. The EFM connects to the court's Case Management System (CMS). All courts must use an EFM to manage their backend system.

[Click here](#) to view our handy guide that outlines which Court uses which EFM, whether it is mandatory or permissive, case types for eFiling, and associated costs.

## Stakeholder 5: The Court and Case Management System (CMS)

Lastly, the stage following the EFM is the Court's **Case Management System (CMS)**. This is the Court's backend system that automates court processes, monitors case activities, and supports decision-making through the use of real-time data and analytics. A case management system consolidates and maintains all the information that is pertinent to a case. Users of the court's CMS include personnel such as clerks, judicial officers, and judges.

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# Measure Your eFiling Efforts

Use data to set benchmarks and know whether your new eFiling workflow is performing up to its potential. This is where it pays to become a Rapid Legal power user because you can integrate your law firm's systems with Rapid Legal's system to transfer data and see what's working, what isn't, and where to optimize.

Sharable data can also be used to create strategic business reports. These reports provide detailed views of orders placed through the portal. At a glance, users can see which types of orders contribute positively to the firm's bottom line and which types compromise it.

This data allows you to course-correct by setting up cost control measures if needed. Likewise, you can use them to monitor throughput, detect trends, and analyze your firm's and the vendor's performance.

Two important measures you can make are **Service Level Distribution** and **Orders by Type**.

**Service level distribution** helps you determine whether you are paying for the most expensive level of service when the least expensive service meets your needs? Use this data to analyze the service you're buying and make sure it's the service you need.

**Orders by type** takes the guesswork out of locating where the greatest volume of your work lies. Is it eFiling, service of process, or something else? Review the data and then decide whether to adjust.

Learn more about how to use sharable data in this [technology-focused article](#) on the Rapid Legal blog.



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# Prepare to Launch

Now that you have a clear view of the eFiling landscape, you're in an excellent position to manage the launch of your own law firm's eFiling initiative. By reading this article you've learned how to interview a vendor, overcome rejection, and measure the success of your efforts. The next step is to contact a qualified EFSP and find out how they can help set up your office's eFiling workflow.

Take that step now by contacting Rapid Legal. We file electronically into the most courts in California and operate on a technology platform that sets the standard for speed and reliability in the industry.

That's not just talk. Rapid Legal guarantees your satisfaction: **If service is not done right, it's free.**

Book a demo or schedule a call with a team member. Get a close-up view of the Rapid Legal portal and how to set up eFiling in your office's workflow.

