



Judicial Council of California

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Subject Text

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File #: 16-234, **Version:** 1

Title

Judicial Council-Sponsored Legislation: Electronic Filing, Service, and Signatures (Action Required)

Summary

The Policy Coordination and Liaison Committee and Information Technology Advisory Committee recommend that the Judicial Council sponsor legislation to enact Code of Civil Procedure section 1013b and amend sections 664.5, 1010.6, and 1011. This legislative proposal would (1) authorize the use of electronic signatures for signatures made under penalty of perjury on electronically filed documents, (2) provide for a consistent effective date of electronic filing and service across courts and case types, (3) consolidate the mandatory electronic filing provisions, (4) clarify the application of section 1010.6's electronic service provisions in sections 664.5 and 1011, and (5) codify provisions that are currently in the California Rules of Court on mandatory electronic service, effective date of electronic service, protections for self-represented persons, and proof of electronic service.

Recommendation

The Policy Coordination and Liaison Committee and Information Technology Advisory Committee recommend that the Judicial Council, effective January 1, 2018:

1. Sponsor legislation enacting new Code of Civil Procedure section 1013b; and
2. Sponsor legislation amending Code of Civil Procedure sections 664.5, 1010.6, and 1011.