

**SUPERIOR COURT
OF
CALIFORNIA
COUNTY OF
SAN MATEO**



**LOCAL COURT
RULES**

**As Amended
Effective January 1, 2021**

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO
Hall of Justice and Records
400 County Center, 2nd Floor
Redwood City, California 94063**

**DIVISION II
COURT MANAGEMENT - SUPERIOR COURT**

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CHAPTER 1. FORM AND SERVICE OF PAPERS

Rule 2.0 Transfer of Court-Related Functions of the County Clerk to the Superior Court

Pursuant to the authority contained in Government Code section 69898, the court hereby transfers from the County Clerk to the Superior Court Executive Officer, under the direction of the Presiding Judge, all of the powers, duties, and responsibilities required or permitted to be executed or performed by the County Clerk in connection with judicial actions proceedings, and records.

(Adopted, effective July 1, 1996.)

Rule 2.1 Form of Papers Presented for Filing

Reference, CRC, rule 2.100, et seq. Original hard copy documents presented to the clerk for filing shall be submitted bound at the top by a clip or fastener (but not staples).

(Adopted, effective July 1, 1996) (Amended effective January 1, 2000) (Amended, effective January 1, 2007) (Amended, effective January 1, 2020)

Rule 2.1.1 Citations to Non-California Authorities.

(Adopted, effective July 1, 1996)(Repealed, effective January 1, 1999)

Rule 2.1.2 Requests for Judicial Notice

(Adopted, effective July 1, 1996)(Repealed, effective January 1, 1999)

Rule 2.1.3 California Environmental Quality Act (CEQA)

If a petition for writ of mandate or complaint includes claims under CEQA (Public Resources Code section 21000 et. seq.), the case will be assigned to a judge designated to hear CEQA actions pursuant to Public Resources Code section 21167.1. Plaintiff shall identify the petition or complaint as being filed pursuant to “CEQA” on the face of the petition or complaint.

(Adopted, effective January 1, 1999)(renumbered from 2.1.4 effective January 1,2000)(Amended, effective January 1, 2017)

Rule 2.1.4 Documents Produced Through a Nonparty

If a party proposes to obtain documents in the custody of a nonparty, as by a subpoena duces tecum, and such documents may be produced by certification or otherwise in lieu of personal appearance by a witness custodian, the request for such documents should specify that they be delivered not later than the first day for which the trial is calendared.

(Adopted, effective January 1, 2000)

Rule 2.1.5 Permissive Electronic Filing of Documents

A. The Court does not presently permit electronic filing in other types of cases. (See Local Rule 2.1.7 for mandatory electronic filing of documents.)

B. This Rule is subject to all of the conditions set forth in Code of Civil Procedure Section 1010.6(b) and any requirements set forth in CRC Rules 2.250 *et seq.* (Trial Court Rules, Division 3, Chapter 2).

C. No direct electronic transmission to the Court of any document for filing is allowed. Electronic filing of documents must be done through one of this Court's authorized Electronic Filing Service Providers. The Court's electronic filing procedures and requirements, including identification of its Electronic Filing Service Providers (EFSP), are available on this Court's website at www.sanmateocourt.org and available in print at the Clerk's Office. An EFSP may require payment of a convenience fee and/or transaction fee and/or impose other reasonable requirements as conditions for processing the electronic filing of a document.

D. Repeal. (See CCP §1010.6(b)(3).)

(Adopted, effective January 1, 2014) (Amended, effective January 1, 2017)(Amended, effective July 1, 2017) (Amended, effective January 1, 2019)(Amended, effective July 1, 2019) (Amended January 1, 2020) (Amended July 1, 2020).

Rule 2.1.6 Attaching Photographs to Filed Documents

A person filing a document with the court who is attaching a black and white or color photograph to the document to be filed must include on the caption page "Photograph Image Attached".

(Adopted, effective July 1, 2018).

Rule 2.1.7 Mandatory Electronic Filing of Documents

(a) (1) Except for self-represented litigants, all parties are required to electronically file documents in all actions or proceedings brought under the Family Code, and all actions or proceedings to which the Probate Code applies, pursuant to CRC Rule 7.802.

(2) Except for self-represented litigants, all parties are required to electronically file documents in all Civil Limited cases and in all Civil Unlimited cases.

(3) Except for self-represented litigants, all parties are required to electronically file documents in all civil class actions, civil coordinated actions, civil actions provisionally complex under CRC Rule 3.400(c), and civil actions deemed complex pursuant to CRC Rule 3.403.

(4) Except for self-represented litigants, all parties are required to electronically file documents in all actions under the jurisdiction of the Small Claims Court, pursuant to Code of Civil Procedure Section 116.110 *et seq.*

(5) Except for self-represented litigants, all parties are required to electronically file documents in all Unlawful Detainer actions brought under Code of Civil Procedure Sections 1159 through 1179a.

(6) Except for self-represented litigants, all parties are required to electronically file all documents, subsequent to the filing of the Complaint, in all felony, misdemeanor, and infraction Criminal actions, except for Traffic Court cases.

(b) Pursuant to CRC Rule 2.252(e), in a proceeding that requires the filing of an original document, an electronic filer may file an electronic copy of a document if the original document is then filed with the court within 10 calendar days.