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News Release

Superior Court of California County of San Francisco

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THE SAN FRANCISCO SUPERIOR COURT MOVES FORWARD WITH PLANS TO EXPAND E-FILING TO MORE CIVIL CASES

Court Seeks Public Comment on New Rule

SAN FRANCISCO – After more than 11 years of successful e-filing and e-service in asbestos cases, a group of San Francisco Superior Court Judges is seeking to expand electronic filing to include other complex litigation cases and single-assignment cases.

"Expanding e-filing just makes sense in these bad economic times," said Presiding Judge James J. McBride. "E-filing provides an obvious benefit by reducing paper use. Technology is increasingly providing opportunities for the Court to improve access to the Court and its records."

The Court's IT Committee, which is chaired by Judge Curtis E.A. Karnow, has been working on a plan to expand e-filing by July 1, 2010. The committee also has drawn from the expertise of Judge Ernest H. Goldsmith, Judge Tomar Mason, Richard A. Kramer, Commissioner Rebecca Wightman and Commissioner Arlene Borick. The committee has drafted a new rule to govern the expansion of e-filing to complex and single assignment cases, and asbestos-related petitions as well.

About 75 new complex litigation cases are filed annually with the Court. A complex case is defined in the California Rules of Court as including those involving numerous pretrial motions, large numbers of witnesses and/or parties or documents. Other cases are assigned by the Presiding Judge to a single Judge for all purposes. These cases, too, would

be subject to e-filing under the proposed new rule. Currently the Court has 134 pending single assignment cases. The proposal would call for e-filing of subsequent filings in all pending complex and single assignment cases.

The new rule, which will define the mandatory e-filing process for Court users, is available for public comment for 45 days beginning Monday, March 15, 2010 through Thursday, April 29, 2010. The rule and information on filing comments may be found on the Court's Web site here.

Working with the Bar Association of San Francisco's Litigation Section, the Association of Business Trial Lawyers and the San Francisco Trial Lawyers Association, Judge Goldsmith, Judge Karnow, Judge Kramer and Judge Mason met with about 40 attorneys and other interested parties on January 13 to discuss the plan to expand mandatory e-filing beyond asbestos cases. Overall, the comments about the e-filing expansion proposal were extremely favorable.

Attorney Steve Tigerman, who was on the Court's asbestos e-filing committee, said he is now a strong believer in the e-filing process. "When the Court wanted to implement mandatory e-filing and service in asbestos cases, I had doubts about whether it could work. Over the last three years, it has worked very smoothly in asbestos litigation."

In 1998, the San Francisco Superior Court launched a voluntary e-filing and e-service in complex litigation asbestos cases. However, to achieve the promise of e-filing and e-service to enhance Court access, cut down on paper use and reduce storage fees for case files, the Court began to explore a mandatory system. On August 14, 2006, the Court issued General Order 158, which mandated e-filing and e-service for every asbestos filing, except the initial complaint.

Since then, more than 4 million pages have been filed electronically in asbestos cases through the LexisNexis File & Serve service. The company has transferred more than \$13.3 million in statutory filing fees to the Court electronically.