

1     **Emergency rule 12. Electronic service**

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3     **(a) Application**

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5         (1) Notwithstanding any other law, including Code of Civil Procedure section  
6             1010.6, Probate Code section 1215, and rule 2.251, this rule applies in all  
7             general civil cases and proceedings under the Family and Probate Codes,  
8             unless a court orders otherwise.

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10        (2) Notwithstanding (1), the rule does not apply in cases where parties are  
11           already required by court order or local rule to provide or accept notices and  
12           documents by electronic service, and is not intended to prohibit electronic  
13           service in cases not addressed by this rule.

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15     **(b) Required electronic service**

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17        (1) A party represented by counsel, who has appeared in an action or proceeding,  
18           must accept electronic service of a notice or document that may be served by  
19           mail, express mail, overnight delivery, or facsimile transmission. Before first  
20           serving a represented party electronically, the serving party must confirm by  
21           telephone or email the appropriate electronic service address for counsel  
22           being served.

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24        (2) A party represented by counsel must, upon the request of any party who has  
25           appeared in an action or proceeding and who provides an electronic service  
26           address and a copy of this rule, electronically serve the requesting party with  
27           any notice or document that may be served by mail, express mail, overnight  
28           delivery, or facsimile transmission.

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30     **(c) Permissive electronic service**

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32        Electronic service on a self-represented party is permitted only with consent of that  
33        party, confirmed in writing. The written consent to accept electronic service may be  
34        exchanged electronically.

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36     **(d) Time**

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38        (1) In general civil cases and proceedings under the Family Code, the provisions  
39           of Code of Civil Procedure section 1010.6(a)(4) and (5) apply to electronic  
40           service under this rule.

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42        (2) In proceedings under the Probate Code, the provisions of Probate Code  
43           section 1215(c)(2) apply to electronic service under this rule.

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**(e) Confidential documents**

Confidential or sealed records electronically served must be served through encrypted methods to ensure that the documents are not improperly disclosed.

**(f) Sunset of rule**

This rule will remain in effect until 90 days after the Governor declares that the state of emergency related to the COVID-19 pandemic is lifted, or until amended or repealed by the Judicial Council.