

Motions Part 2: Preparing Paperwork and Filing in Court

Guide to copying and assembling motion papers and filing them in civil court in California, Steps 3-6.

Related Guides

This is part two of a series of guides on preparing, filing, and arguing a motion in Sacramento County Superior Court.

[Motions Part 1: Steps 1-2](https://sacclaw.org/resource_library/motions-part-1-scheduling-and-writing-your-motion/) (https://sacclaw.org/resource_library/motions-part-1-scheduling-and-writing-your-motion/)

[Motions Part 2: Steps 3-6](https://sacclaw.org/resource_library/motions-part-2-preparing-paperwork-and-filing-in-court/) (https://sacclaw.org/resource_library/motions-part-2-preparing-paperwork-and-filing-in-court/)

[Motions Part 3: Steps 7-9](https://sacclaw.org/resource_library/motions-part-3-opposition-and-reply-papers-tentative-rulings-and-attending-the-hearing/) (https://sacclaw.org/resource_library/motions-part-3-opposition-and-reply-papers-tentative-rulings-and-attending-the-hearing/)

3. Assembling and copying papers

E-filing is now available in Sacramento. Self-represented parties can choose to file papers by electronic filing, but are not required to. Attorneys are required to use e-filing for most things. To use e-filing, you will need to [select a third-party provider](https://saccourt.ca.gov/efiling/efsp.aspx) (<https://saccourt.ca.gov/efiling/efsp.aspx>) and email your paperwork to them. For more information on this in Sacramento, visit the [Sacramento court's e-filing information webpage](https://saccourt.ca.gov/civil/e-filing-faq.aspx). (<https://saccourt.ca.gov/civil/e-filing-faq.aspx>)

If you do not use e-filing, follow the instructions on this page.

Make four (4) copies of your Motion and any accompanying papers, such as a Proposed Order. Staple each of the copies, but leave the original unstapled so it can easily be scanned into the court's file system.

One of these copies is to be served on the other party's attorney (or the other party, if they do not have an attorney). The original and the other three copies are to be filed with the court. You should get one back after the clerk stamps ("endorses") it. You can also download a stamped copy from the online portal within a few days.

Attaching Exhibits

For each exhibit attached to your motion, you must place a page in front of the exhibit identifying it as Exhibit A, B, and so forth in alphabetical order, or Exhibit 1, 2, and so forth in numerical order.

4. Have Your Documents Served on the Attorney or Self-Represented Party

You must serve your papers on the other attorney or self-represented party in the case. (If there are more than two parties, you must serve all parties, or their attorneys if they have one).

Service must be complete 16 court (business) days before the hearing date, plus five calendar days if you have it served by mail.

Tip: If the mailing deadline (16+5 days) has passed, but there are still more than 16 court days before the hearing, you can have it served by personal delivery. If you miss the service deadline entirely, you will need to re-schedule your motion.

Proof of Service form:

After service is done, you will need to file a Proof of Service signed by the server. If serving by mail, you can use [Proof of Service by Mail \(POS-030\)](https://www.courts.ca.gov/documents/pos030.pdf) (<https://www.courts.ca.gov/documents/pos030.pdf>). For personal service, use [Proof of Personal Service \(POS-020\)](https://www.courts.ca.gov/documents/pos020.pdf) (<https://www.courts.ca.gov/documents/pos020.pdf>). You can fill most of the Proof of Service out now, but it should not be signed. **Make a copy of the unsigned proof of service before proceeding** and include it with the motion papers when you have them served.

The server must serve a copy of the motion papers and a copy of the unsigned proof of service form, to the opposing attorney or self-represented litigant.

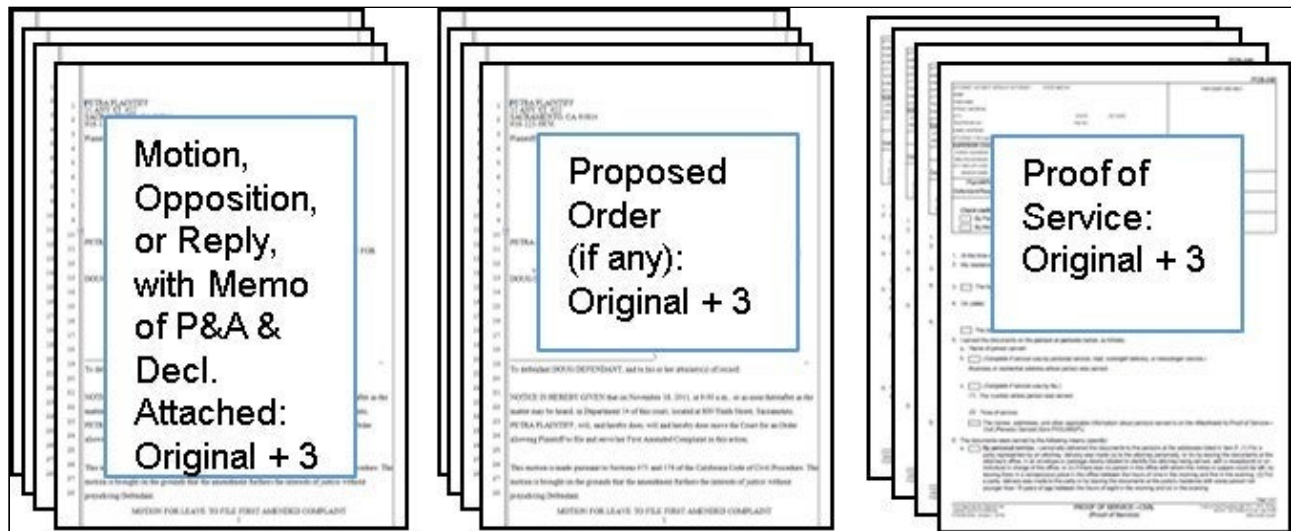
The person doing the serving then signs the Proof of Service form, and gives the signed Proof of Service to you.

Make three (3) copies of the signed Proof of Service. It is not necessary to copy the instruction page.

Attach the original signed Proof of Service to your original signed motion, and the copies of the signed Proof of Service to the copies of your motion.

5. Assemble your Documents for Filing

Assemble your packet for filing as follows. The original should be unstapled, while each copy is stapled.



- Motion, including Memorandum of Points and Authorities and Declaration with exhibits: original plus three (3) copies. One copy should have any exhibits separated by tabs.
- Proposed Order, if included, plus three (3) copies.
- Completed Proof of Service form: The original plus three (3) copies. This proof of service can be filed as its own document, or it can be attached as the last page of the Motion when filing. If it is attached, then attach the original signed Proof of Service to the original signed Motion.
- Any other documents, such as Request for Judicial Notice, should be treated the same way: create a stack of original plus three (3) copies and file along with the others.

If you are submitting them in the dropbox, you will find cover sheets and large binder clips to hold the whole package together near the box.

6. File at the Hall of Justice Building

File your motion, along with fees if needed, at the Hall of Justice building, 813 6th St. (6th and H). Your options are:

- Wait in line to file with the clerk in Room 212.
- Drop your paperwork and payment (check or money order only) in the dropbox in the lobby. Your papers will be marked as filed on the day you place them in the box if they arrive before 5 p.m.
- Mail your paperwork and payment to: 720 9th St., Rm 102, Sacramento CA 95814. Payment must be by check or money order. Your papers must arrive by the due date; the postmark will be ignored.
- Use the court's efilg system. This system is optional for self-represented litigants. Fees will be paid to the electronic filing service provider, which forwards them to the court.

At this time there is a \$60 filing fee for a motion, unless your fees were waived. Dropbox filings must include a check or money order/cashiers check, no credit cards. Credit cards can be accepted at the counter or used when efilng.

Fee Waiver: If you are receiving government benefits such as Medi-Cal or are otherwise qualified because of low income, you can apply for a fee waiver. If you do not yet have a fee waiver, turn the fee waiver request forms in with the motion instead of a fee payment. For more information, see our [Step-by-Step guide on Fee Waivers](https://www.saclaw.org/resource_library/fee-waiver/) (https://www.saclaw.org/resource_library/fee-waiver/).

Back a step: [Motions Part 1: Steps 1-2](https://saclaw.org/resource_library/motions-part-1-scheduling-and-writing-your-motion/) (https://saclaw.org/resource_library/motions-part-1-scheduling-and-writing-your-motion/)

Next step: [Motions Part 3: Steps 7-9](https://saclaw.org/resource_library/motions-part-3-opposition-and-reply-papers-tentative-rulings-and-attending-the-hearing/) (https://saclaw.org/resource_library/motions-part-3-opposition-and-reply-papers-tentative-rulings-and-attending-the-hearing/)