

RESOLUTION 06-02-08

DIGEST

Rules of Court: Service of Two-Sided Copies

Amends rule 2.102 of the California Rules of Court to permit service of two-sided copies of documents.

RESOLUTIONS COMMITTEE RECOMMENDATION

APPROVE IN PRINCIPLE

History:

No similar resolutions found.

Reasons:

This resolution recommends amendment of rule 2.102 of the California Rules of Court to permit service of two-sided copies of documents. This resolution should be approved in principle because it would save paper and allow for more environmentally conscious use of resources.

Rule 2.102 of the California Rules of Court presently requires that all papers served or filed in trial court proceedings must be printed or reproduced on one-sided pages. This resolution would continue to require that all documents filed with a court be printed only on one-sided pages, but would permit service copies of said documents to be printed on both sides of each page. In fact, at present, many Judicial Council form documents are preprinted on two-sides of each page.

This change will conserve substantial amounts of paper, storage and filing space, to say nothing of trees, and will be of great benefit to the environment.

TEXT OF RESOLUTION

RESOLVED, that the Conference of Delegates of California Bar Associations recommends that the Judicial Council of California amend California Rules of Court, rule 2.102 to read as follows:

- 1 Rule 2.102
- 2 On papers filed with the court, only one side of each page may be used. On papers
- 3 served on other parties or their counsel of record, copies may be made so as to use both
- 4 sides of each page.

(Proposed new language underlined; language to be deleted stricken.)

PROPONENT: Bar Association of San Francisco

STATEMENT OF REASONS:

Existing Law: Requires all “papers” served or filed in trial court proceedings to be printed or reproduced on one-sided copies.

This Resolution: Would permit parties to save paper by serving double-sided copies on other parties and counsel.

The Problem: Litigation practice is consuming far too much paper. In most cases, the bulk of paper is used on service copies. In cases with multiple parties, the problem grows proportionately. Many actions, such as toxic tort litigation or class actions, have dozens of involved parties and law firms and require voluminous filings and discovery documents, leading in turn to even greater wastes of paper. Moreover, many law firms simply do not have sufficient space in their files to maintain all these documents.

The simple solution is to halve the amount of paper needed for service copies by allowing service copies to be double-sided. This is a sure-fire means of reducing paper consumption and preserving filing space. Virtually any copying machine can make two-sided copies. However, for those practices that do not have double-sided copying means available, the provision would be permissive rather than mandatory.

IMPACT STATEMENT:

This resolution would not affect any other rule, statute, or law.

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