

RESPONDING TO AN ORDER TO SHOW CAUSE

This template was prepared by the Justice & Diversity Center, a nonprofit organization, and is not an official court form. It can be used in civil lawsuits in the Northern District Court of California. This template provides guidance only. Using this template does not guarantee any result.

★ HOW TO GET LEGAL INFORMATION & ADVICE

This packet provides general guidance on how to respond to an Order to Show Cause from the Court. Make an appointment for free legal information and advice at one of the Legal Help Centers.

APPOINTMENTS – Based on the courthouse where complaint was filed

- ✦ SAN FRANCISCO, OAKLAND, OR EUREKA-MCKINLEYVILLE
Federal Pro Bono Project | fedpro@sfbbar.org | (415) 782-8982
NOTE: Contact for scheduling only – no legal advice is given when scheduling.

- ✦ SAN JOSE
Federal Pro Se Program | (408) 297-1480
Drop-in hours Tuesday and Thursday from 9:00 a.m. to 4:00 p.m.
280 South 1st Street, 2nd Floor, Room 2070, San Jose

★ UNDERSTANDING LAWS & RULES

The Legal Help Centers (see above) are the best resource for people without lawyers. There are other resources for understanding the laws and rules of the Court:

1. **Handbook for Pro Se Litigants** – The Handbook is a procedural guide for people who are representing themselves. It was prepared by the Court and is available at the Clerk’s Office or on the Court’s website at: <https://www.cand.uscourts.gov/pro-se-handbook/>.
2. **Legal Research Guide for Pro Se Litigants** – The Guide provides information for people who are representing themselves about how to do legal research, like finding statutes and decisions in other cases. It was prepared by the Justice & Diversity Center and is available at the Legal Help Centers and at: <https://www.cand.uscourts.gov/pro-se-litigants/legal-help-center-templates-packets/>.
3. **Federal Rules of Civil Procedure** – These Rules explain the procedures from filing through trial for all civil cases in the federal courts across the country, and are available at: <https://www.uscourts.gov/sites/default/files/rules-of-civil-procedure.pdf>.
4. **Civil Local Rules** – The Civil Local Rules follow the same numbering as the Federal Rules of Civil Procedure, but generally provide more detail. They apply in this District only, and are available at: <https://www.cand.uscourts.gov/rules/civil-local-rules/>.

★ WHAT IS AN ORDER TO SHOW CAUSE?

The Court may issue an Order to Show Cause to tell you that you did not follow the Court’s rules, directions, or deadlines and/or to instruct you to file one or more documents by a certain date. Your Response to the Order to Show Cause must show a good reason (“cause”) for not following the Court’s rules, directions, or deadlines. You must also do anything else the Court tells you to do in the Order to Show Cause.

★ HOW TO COMPLETE THE ORDER TO SHOW CAUSE TEMPLATE

1. **Know your deadline** – The Court’s Order to Show Cause will have set a deadline for you to file a Response and/or other document(s). It is very important to follow the deadline – missing the deadline could cause you to lose your case. Use this template if the Court asks you to respond.
2. **Fill in the case information** – On the top of the first page, write your name, address, and check the box for the division to which your case has been assigned. Write in the plaintiff’s and defendant’s names in the middle of the page. Then, write in the case number and the judge’s name.
3. **Respond to the Court’s Order** – The Court’s Order to Show Cause will tell you what information the Court needs. Each Order to Show Cause is different, so be sure to read the Order carefully. Each statement of your explanation should be in a separate numbered paragraph.
4. **Finalize and sign your response** – Read your Response to make sure it is complete and correct and that all the blanks are filled in. Sign and date the Response.
5. **Add final details** – At the bottom of each page, write in the type of document you need to file, the case number, and each page number.
6. **Prepare the Certificate of Service** – Each document that you file must be “served” on each other party, usually by sending it in the mail. A Certificate of Service is a paper that lets the Court know that you served a certain document. To prepare the Certificate, follow the instructions on it. If all parties (including you) are registered ECF filers, you do not need to prepare or file a Certificate of Service.

★ FILING & SERVING YOUR RESPONSE

1. **Copies** – Make three copies. Once you have completed and signed your Response and Certificate (if needed), make three copies of each. On one copy of the documents, write “Chambers” on the top in pen. (If there is more than one plaintiff or defendant, you will also need one additional copy for each of them.) ECF users do not need to include a chambers copy. See Civil Local Rule 5-1(d)(7).
2. **Serve the Response** – Be sure that the Response and Certificate are served on each other party. If you are filing electronically, your document is considered served when filed. See Civil Local Rule 5-1(h)(1).

3. **File the Response** – Deliver or mail the original plus two copies of the Response and Certificate to the Clerk’s Office at the federal courthouse where the Judge hearing your case is located. The Clerk will take the original and the copy marked “Chambers” of each document. The other copy is for you to keep after it is stamped by the Clerk.
 - a. **File by mail** – If you file by mail, include a self-addressed, stamped envelope so that the Clerk can send a copy of each document back to you.
 - b. **File electronically** – If you are an electronic filer, follow the instructions for electronic filing, which can be found here: <https://www.cand.uscourts.gov/cases-e-filing/cm-ecf/>.
 - c. **Register to become an e-filer** – The registration information to become an e-filer can be found here: <https://www.cand.uscourts.gov/cases-e-filing/cm-ecf/setting-up-my-account/e-filing-self-registration-instructions-for-pro-se-litigants/>.

★ WHAT’S NEXT?

The Court will review your Response to the Order to Show Cause and may issue another Order.

★ STAY UP TO DATE

1. **Communications** – Check your mail and tell the Court if you move. You must file a notice with the Clerk right away if your mailing address, email, or phone number changes or you may miss important deadlines, causing you to lose your case.
2. **Tracking** – Keep track of your case. A list of the documents that have been filed, and (usually) the documents themselves can be viewed online. Review the Pro Se Handbook Chapter 7 and contact the Legal Help Center to learn to access documents.
3. **Guidance** – Visit the Legal Help Center for more information about what happens next.

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Your Name: _____

Address: _____

Phone Number: _____

Email Address: _____

Pro Se

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Division [check one]: San Francisco Oakland San Jose Eureka-McKinleyville

Plaintiff,
v.

Defendant.

Case No. _____

RESPONSE TO ORDER TO SHOW CAUSE

Judge: Hon. _____

Show good cause for missing the deadline, or not following the Court's orders or rules, by explaining each of the reasons why you did not comply. Include any other information the Court asked you to provide. Use more pages as needed.

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Respectfully submitted,

Date: _____ Signature: _____

Print Name: _____

1 **CERTIFICATE OF SERVICE OF DOCUMENT OTHER THAN COMPLAINT**

2 Unless all parties to the case, including you, are electronic filers, you must serve each document you file by
3 sending or delivering it to the opposing side. Complete this form and include it with the document that you
4 file and serve.

5 1. **Case Name:** _____ v. _____

6 2. **Case Number:** _____

7 3. **What documents were served?** Write the full name or title of the document(s)

8 _____
9 _____

10 4. **How was the document served?** Check one:

11 Placed in U.S. Mail

12 Hand-delivered

13 Sent for delivery (e.g., FedEx, UPS)

14 Sent via email [if the other party has agreed to accept service by email]

15 5. **Who did you send the document to?** Write the full name and contact information for each person you
16 sent the document.

17 _____
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21 6. **When were the documents sent?** _____

22 7. **Who served the documents?** Whoever puts it into the mail, emails, delivers, or sends for delivery
23 should sign, and print their name and address. You can do this yourself.

24 I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

25 Signature: _____

26 Name: _____

27 Address: _____

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