

HOW TO REQUEST DOCUMENTS FROM ANOTHER PARTY

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 about requesting documents from another party in the case. Before serving this document, make an appointment for free legal information and advice at one of the Legal Help Centers. If you need to request documents in an Employment Discrimination case or if you need to Respond to a Request for Documents from the other side, you can get additional templates from 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/>.

★ WHEN TO MAKE REQUESTS FOR DOCUMENTS

1. **Figure out when you can first make requests** – When the case was filed, the Clerk issued a document called an Initial Scheduling Order, which set the date of the Case Management Conference. Normally, you can serve discovery (such as these requests, requests for admissions, or written questions) after this Conference, though the Court may set a different deadline at the Conference.
2. **Figure out the discovery deadline** – After the Conference, the Court will send out an updated Scheduling Order setting the “Discovery Cutoff.” You must send your final set of Requests for Documents thirty-three (33) days before the Discovery Cutoff (or hand-serve 30 days before).

★ HOW TO COMPLETE THE REQUEST FOR DOCUMENTS TEMPLATE

Unless specifically ordered by the Court, discovery requests and responses are only served on other parties in the case and are not filed with the Court.

1. **Read the Pro Se Handbook** – Chapter 16, “What is Discovery?” explains more fully the discovery process.
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 the 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, the name of the responding party, and the set number. If this is the first Request for Documents you have sent to this party, you will write “Set No. 1.”
3. **Review the Definitions Section** – Review the standard definitions and add in any definitions specific to your case that will make it easier for the responding party to understand your Requests.
4. **Write your own Requests** – Write simple requests for categories of documents that are relevant to your case. If you need help writing your Requests, make an appointment at the Legal Help Center (see page 1). If this is not the first set of Request for Documents you are sending to this party, renumber the requests, starting with the number you left off on last time. There is not a specific limit on the number of requests, but the other party may object if responding would cause an unfair burden.
5. **Review and sign your Requests** – Read the entire document to make sure your Requests are clear and focused on this case. Count the number of pages. On each page, write the page number and the total. Sign and date.
6. **Prepare the Certificate of Service** – A Certificate of Service is a document that confirms you served a certain document. To prepare the Certificate, follow the instructions on it. Requests for Documents are served on the other parties in the case but are **not** filed with the Court. If there are multiple parties in the case, each party should receive a copy of the Request for Documents even if you are not directing the request to them.
7. **Mark your calendar** – The responding party has 30 days (33 days if you serve by mail) to send you a written response and copies of the documents. If you need help with getting complete responses to your requests from the responding party, make an appointment at the Legal Help Center (see page 1).

★ SERVING YOUR REQUESTS

1. **Copies** – Once the documents are complete, make one copy for each party in the case.
2. **Serve the Requests** – Be sure the Requests and Certificate are served on each party. Do **not** send a copy to the Court.

★ WHAT'S NEXT?

The timeline below lists what generally happens after Requests for Production are served. The Legal Help Centers (see page 1) can provide guidance about these steps and have many other templates for you to use.



* No later than the “discovery cutoff”.

★ 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.

1 Your Name: _____

2 Address: _____

3 _____

4 Phone Number: _____

5 Email Address: _____

6 Pro Se

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

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

10 _____
11 _____
12 _____
13 Plaintiff,
14 v.
15 _____
16 _____
17 _____
18 Defendant.

Case No. _____

**REQUESTS FOR PRODUCTION OF
DOCUMENTS TO [name of responding party]**

SET NO. _____

19
20 **INSTRUCTIONS**

21 Pursuant to Federal Rules of Civil Procedure 26 and 34 and Civil Local Rule 34, [name of
22 responding party] _____

23 shall, within thirty (30) days, produce copies of the following documents at [your address]:

24 _____
25 _____

26 Electronically stored information shall be produced in paper form.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DEFINITIONS

1. The term “documents” is defined to have the same meaning and to be equal in scope to the terms “documents” and “electronically stored information” as used in Federal Rule of Civil Procedure 34(a).
2. The terms “concerning” means referring to, describing, evidencing, or constituting.
[You may create your own definitions specific to this case.]

3. _____

4. _____

REQUESTS

All documents identified in your Initial Disclosures and not previously provided.

- All documents concerning. _____

