

Using the Pleading Template in Your Alameda County Superior Court Case.

IMPORTANT: If you are using a public computer at ACLL, you must use a Flash Drive portable storage device or some other means to save your document. Changes you make to this template can NOT be saved on ACLL's computers.

If you are using your own personal computer or laptop to edit this template, you should save a copy of the document to your device before closing out of the template. Once you close out of this template, all changes will disappear.

What is a "pleading"?

A pleading is a legal document that is filed with the Court. For many different types of legal matters, the courts have created pre-printed forms that help you with the Court's procedures. If there is no California or Alameda County Superior Court local form that fits your situation, you will need to create your own pleading following the correct format and the rules of the Court.

What is different or special about a pleading paper?

Pleading paper has numbers running down the left-hand side of the paper. These numbers may be used later to make it easier to refer to an exact line in your document.

The pleading paper template (or guide) that accompanies this article is already pre-formatted to meet the requirements of [California Rules of Court](#), rules 2.100, *et. seq.* These rules have been established to tell you what is required for any documents you file with the Court.

A few basic rules:

- Use only one side of the paper - no double-sided copies.
- Using a computer or typewriter is best. The court staff (and the judge) needs to be able to read the text of your pleading.
- Your text must be double-spaced or the numbers on the left side of the pleading paper won't line up.
- Paper size must be standard 8 1/2" x 11"

About some of the terms used in the document

- *In Pro Per*: this may look like a typo, but it is actually Latin for “for one’s self”. If you are representing yourself in a legal matter, you are *in pro per*
- *Plaintiff*: this is the person or company filing the case. For example, if you are suing someone, you are the *plaintiff*.
- *Defendant*: this is the person or company which the case is being filed against. For example, if you are being sued, you are the *defendant*.
- *Complaint*: this is a document filed with the Court to begin a lawsuit. The person filing the *complaint* is the *plaintiff*.
- *Answer*: this is a written response to a *complaint*. The person filing the *answer* is the *defendant*.

Using the Pleading Template

Remember, this template is already formatted to the Court’s specifications.

- *Do not change the spacing* on the first page of the document.
- *Do not change the font format*: if a word is in all caps, it should stay all caps.

The next page is an example of the pleading paper format, followed by an explanation of how to fill in each section.

1 YOUR NAME
Street Address
2 City, State, ZIP
Phone Number (with area code)
3

4
5 YOUR NAME, IN PRO PER

1

6
7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF ALAMEDA
10

2

11
12
13 NAME OF PLAINTIFF,) Case No.: 12-3-456789-1
14 Plaintiff,) DOCUMENT TITLE (e.g., COMPLAINT
vs.) FOR DAMAGES)
15)
16)
17 NAME OF DEFENDANT,)
Defendant)
18

3

19
20
21 The text of your document begins here.

4

22
23
24 DATED: October 9, 2015

25 Your signature
26 YOUR NAME
27 In Pro Per

5

28
- 1 -
DOCUMENT TITLE (e.g., COMPLAINT FOR DAMAGES)

6

The next few pages will tell you how to fill in the template section by section. You will just need to change the information highlighted in yellow.

YOUR NAME
Street Address
City, State, ZIP
Phone Number (with area code)

YOUR NAME, IN PRO PER

1

Enter your first and last name (all capital letters), address (this is the address where you want to receive mail) and phone number with area code. Make sure the phone number is one where you can be reached during the day – the Court staff may need to reach you during the day to reschedule a hearing.

Next replace “YOUR NAME” with your first and last name, leave the comma and the phrase “IN PRO PER.”

(“IN PRO PER” may look like a typo, but it is actually Latin for “for one’s self”. If you are representing yourself in a legal matter, you are *in pro per*)

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ALAMEDA

2

This template has the name of the Alameda County Superior Court. If you are using this template to file a pleading in another California Superior Court, you will need to change the county to the county where you will be filing.

NAME OF PLAINTIFF,)	Case No.: 12-3-456789-1
)	
Plaintiff,)	DOCUMENT TITLE (e.g., COMPLAINT
)	FOR DAMAGES)
vs.)	
)	
NAME OF DEFENDANT,)	
)	
Defendant)	

3

The section provides information that identifies the case and the individual type of document that is being filed. Some of the terms used in this section:

- *Plaintiff*: this is the person or company filing the case. For example, if you are suing someone, you are the *plaintiff*.
- *Defendant*: this is the person or company which the case is being filed against. For example, if you are being sued, you are the *defendant*.
- *Complaint*: this is a document filed with the Court to begin a lawsuit. The person filing the *complaint* is the *plaintiff*.
- *Answer*: this is a written response to a *complaint*. The person filing the *answer* is the *defendant*.

This template can be adapted for many different types of court documents. You first need to identify the correct legal name for the document you want to file.

If this case has already been started and you have received paperwork for it, you can use the information provided on the paperwork to fill in this section. Look for the name of the plaintiff and the name of the defendant.

If this is the first piece of paperwork in your case:

For NAME OF PLAINTIFF: Replace with your name if you are filing the case. If another person or a company filed the case against you, their name should go here.

For NAME OF DEFENDANT: Replace with your name if the case was filed against you. If you are filing the case against another person or a company, put their name here.

If you have paperwork on the case, you should also see the "Case No." Alameda County Superior Court Case numbers will look something like this:

RG13123456 or RF12123456

This number is VERY IMPORTANT. It must be entered correctly for any paperwork filed by either side in the lawsuit in order for the paperwork to be filed properly. You can also use the case number to look up your case on the Court's on-line system.

Replace "DOCUMENT TITLE (e.g. COMPLAINT FOR DAMAGES)" with the appropriate title.

Remember – when using this template you need to retain all formatting for the text as it is shown on this template – capital letters, lower case letters, etc.

The text of your document begins here.	4
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This is the section where you explain your situation to the court. The template is already formatted to be double-spaced. As you type, the next section with the date and your signature will be pushed along until you are finished writing your text.

DATED: October 9, 2015	
	<u>Your signature</u> YOUR NAME In Pro Per
	5

The template will automatically enter today's date, so don't worry about replacing that.

You need to select and delete where it says *Your signature*. When you print out the document, you'll sign your name here.

For YOUR NAME, type in your first and last name in all capital letters.

This section is called the footer. You need to change the Document Title using the same name that you used in section 3. To do this:

- Double-click DOCUMENT TITLE in the footer
- Replace with your document title.
- Don't worry about changing the page number .
- Once your document title has been typed in, double-click in the middle of the page to exit the footer section.

Once you've changed the footer on the first page, it will copy itself on every page of your document and enter page numbers automatically.