

Instructions: Request for Documents

These forms were prepared by the Justice & Diversity Center, a nonprofit organization, and are not official court forms.

Checklist

This packet provides a general form to request the other side to give you documents relevant to your case. **It is also available in a fillable pdf version on the Court's website at www.cand.uscourts.gov/civillitpackets.** This packet includes the following forms:

- **Request for Production of Documents**
- **Certificate of Service**

General Instructions

A. Use this form when you want to ask the other side for documents that it may have that are relevant to your lawsuit. Requesting documents is part of the discovery stage in the lawsuit. "Documents" is a broad word and includes any electronically stored information, writing, graphs, drawings, photographs, audio and video recordings. Think carefully about the information you are requesting and the format in which you want it produced. **Be as specific as possible in your request.**

B. You can only use this form to get information from a party to the lawsuit, for example the party that is suing you or that you are suing. If you want information from a third party, you cannot use this form.

C. You can ask for as many documents as you want and can send out multiple requests until the deadline for discovery in your case. But you **cannot** send out requests simply to burden or harass the other side and your requests should not be frivolous.

D. **Fill out the included forms completely.** Suggestions and instructions are provided [*in brackets and/or italics that look like this*] to help you. **You MUST sign and date the form.**

E. **Serving the papers.** Make sure that the Request for Documents is served on the other party in one of the ways listed on the Certificate of Service. Include the Certificate of Service with the Request. **The Request for Documents should not be filed with the court.** Like most discovery, it is just exchanged between the parties. As with any paper in your case, keep a copy for yourself.

More Information

This packet does NOT tell you everything you need to know about asking the other side for documents. Requesting and actually getting documents can be a tricky process so you should seek legal advice before sending your request. For free legal advice, please contact one of the following:

- If your case is in the San Francisco/Oakland federal courthouse, make an appointment with the **Legal Help Center** for free legal information and advice by calling 415-782-8982 OR
sign up at 450 Golden Gate Ave., San Francisco, 15th Floor, Room 2796 OR
sign up at 1301 Clay Street, Oakland, 4th Floor, Room 470S.
- If your case is in the San Jose federal courthouse, make an appointment with the **Federal Legal Assistance Self Help Center** for free legal information and advice by calling (408) 297-1480 OR
sign up at 280 South First Street, San Jose, Room 2070.

You should also read **Chapter 16** of the **Handbook for Pro Se Litigants** for an explanation of discovery and request for production of documents. The Handbook is available at the Clerk's Office or on the Court's website at www.cand.uscourts.gov/prosehandbk.

1 Your Name: _____

2 Address: _____

3 Phone Number: _____

4 Fax Number: _____

5 E-mail Address: _____

6 Pro Se [Select one: Plaintiff or Defendant]

8 United States District Court

9 Northern District of California

10 [Select one location: San Francisco / Oakland / San Jose / Eureka]

12 Case Number: _____

13 [your name] _____

14 Plaintiff(s),

15 vs.

14 **REQUEST FOR PRODUCTION OF**
15 **DOCUMENTS TO** [name of other party]

16 _____,

17 SET NO. _____

18 [FRCP 34]

19
20 Defendant(s).

22 **I. INSTRUCTIONS**

23 Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and Civil

24 Local Rule 34, [Insert who you want to produce documents, defendant or plaintiff. Provide
25 party's name to be clear.] _____

26 shall produce copies of the following documents, within thirty (30) days of the service of this
27 discovery request, at the following address, [insert your mailing address]
28 _____.

REQUEST FOR PRODUCTION OF DOCUMENTS, CASE NO. _____

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1 If you object to any documents requested on the grounds of privilege, work product or
2 other grounds, your response should state the existence of the information, document or
3 communication, identify the specific grounds on which your objection is based in a manner that
4 will enable other parties to assess the claim, and identify the information objected to by furnishing
5 its date, participants (e.g., names of speakers or authors or addressees) and a general description
6 of the nature, rather than the substance of the purportedly protected information. If the objected to
7 document contains relevant non-objectionable matter, you should produce it, with the
8 objectionable matter redacted.

10 **II. DEFINITIONS**

11 *[The words below are defined by you so that the other party knows exactly what you mean when*
12 *you use that particular word. Definitions may also help avoid repetition.]*

13 The following definitions apply to these document production requests:

14 1. Document. The term “document” is defined as set forth in Rule 34(a) of the Federal
15 Rules of Civil Procedure. “Document” shall be broadly defined to include all media on which
16 information is recorded or stored.

17 2. Communication. “Communication” means the written, verbal, and/or any recordings of
18 the transmission of information (in the form of facts, ideas, inquiries or otherwise).

19 3. You or Your. The words “you” or “your” mean *[insert name of the party you want to*
20 *produce documents]* _____, including its present and
21 former members, officers, agents, employees, and all other persons acting or purporting to act on
22 its behalf, including all present or former members, officers, agents, employees, and all other
23 persons exercising or purporting to exercise discretion, make policy, and/or make decisions.

24 4. Pertaining. “Pertaining” means relating to, referring to, describing, evidencing or
25 constituting.

26 5. And/Or. The connectives “and” and “or” shall be construed either disjunctively or
27 conjunctively as necessary to bring within the scope of the discovery request all responses that
28

might otherwise be construed to be outside its scope.

[You can also create your own definitions. Insert them here.]

6. _____

7. _____

III. DOCUMENT PRODUCTION REQUESTS

[Write out each type of document you want. Be as specific as possible. It may be useful to include information such as the date the document was created or who created it.]

1. Produce all documents pertaining to _____

2. Produce all documents pertaining to _____

3. Produce all documents pertaining to _____

4. Produce all documents pertaining to _____

5. Produce all documents pertaining to _____

REQUEST FOR PRODUCTION OF DOCUMENTS, CASE NO. _____

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6. Produce all documents pertaining to _____

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7. Produce all documents pertaining to _____

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8. Produce all documents pertaining to _____

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9. Produce all documents pertaining to _____

_____.

10. Produce all documents pertaining to _____

_____.

[you must sign and date]

Date: _____ Sign Name: _____

Print Name: _____

CERTIFICATE OF SERVICE

Use this form to show that a paper or document (other than a complaint) was served (sent or delivered) to an opposing party in accordance with Federal Rule of Civil Procedure 5. A different form is needed to serve a complaint under Federal Rule of Civil Procedure 4.

Case name: _____

Case number: _____

What document was served? *(Write the full name or title of the document or documents, e.g., "Plaintiff's Opposition to Defendant's Motion for Summary Judgment.")*

Title(s): _____

How was the document served? *(Check one.)*

- ☐ Placed in U. S. Mail
- ☐ Sent by fax
- ☐ Hand-delivered
- ☐ Sent by delivery service (e.g., FedEx or UPS)

To whom was the document sent? *(Write the full name, address, and fax number of everyone who was sent the document. Usually, they will be the lawyers for the opposing parties.)*

When were the documents served? *(When were they mailed, faxed, or delivered?)*

Date: _____

Who served the documents? *(Whoever puts it into the mail, faxes, hand-deliveres, or sends by delivery service should print his/her name, address and sign. You can also do this yourself.)*

I declare under penalty of perjury under the laws of the United States of America that the information in this certificate of service is true and correct.

Signature: _____

Printed name: _____

Address: _____