

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/Legal-Help-Center-Templates.** 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 the party that is suing you or that you are suing. If you want information from another person or entity, you cannot use this form.

C. You can ask for as many documents as you want and can send out multiple sets of 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, and after you receive responses. For free legal advice:

- 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 either: 450 Golden Gate Ave., San Francisco, 15th Floor, Room 2796 or 1301 Clay Street, Oakland, 4th Floor, Room 470S.
- If your case is in the San Jose federal courthouse, make an appointment with the **Federal Pro Se Program** 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]

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

Plaintiff(s),	
vs.	
Defendant(s).	

Case Number: _____

[your name] _____'s
**REQUESTS FOR PRODUCTION OF
 DOCUMENTS TO** [name of other party]

SET NO. ____
[FRCP 34]

20 **I. INSTRUCTIONS**

21 Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and Civil Local Rule 34,
 22 the United States shall produce copies of the following documents, within thirty (30) days of the
 23 service of this discovery request, at the following address [your address]: _____
 24 _____.

25 If you object to any documents requested on the grounds of privilege, work product or other
 26 grounds, your response should state the existence of the information, document or communication,
 27 identify the specific grounds on which your objection is based in a manner that will enable other
 28 parties to assess the claim, and identify the information objected to by furnishing its date, participants

1 (e.g., names of speakers or authors or addressees) and a general description of the nature of the
2 purportedly protected information. If the objected to document contains relevant non-objectionable
3 matter, you should produce it, with the objectionable matter redacted.

4 **II. DEFINITIONS**

5 The following definitions apply to these document production requests:

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

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

11 3. You or Your. The words “you” or “your” means *[name of the party to which you are*
12 *sending these requests]* _____, including its
13 present and former members, officers, agents, employees, and all other persons acting or purporting
14 to act on its behalf, including all present or former members, officers, agents, employees, and all
15 other persons exercising or purporting to exercise discretion, make policy, and/or make decisions.

16 4. Pertaining. “Pertaining” means relating to, referring to, describing, evidencing or
17 constituting.

18 5. And/Or. The connectives “and” and “or” shall be construed either disjunctively or
19 conjunctively as necessary to bring within the scope of the discovery request all responses that might
20 otherwise be construed to be outside its scope.

21 6. _____
22 _____

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24 7. _____
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III. DOCUMENT PRODUCTION REQUESTS

1. All documents pertaining to _____

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6. _____

7. _____

8. _____

Date: _____ Sign Name: _____

Print Name: _____

CERTIFICATE OF SERVICE

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

4 **Case name:** _____

5 **Case number:** _____

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

8 Title(s): _____

9
10 **How was the document served?** (Check one.)

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

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

17 _____

18 _____

19 _____

20 _____

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

22 Date: _____

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

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

27 Signature: _____

28 Printed name: _____

Address: _____