

## Instructions: 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 AND ADVICE

This packet provides general guidance about responding to an Order to Show Cause from the Court. You can make an appointment for free legal information and advice at one of the Legal Help Centers listed below.



If your case was assigned to a judge in the San Francisco, Oakland or Eureka federal courthouse, do one of the following:



Call the appointment scheduling line for the Federal Pro Bono Project: 415-782-8982



Sign up in the appointment book at either:

450 Golden Gate Ave., 15th Floor, Room 2796, San Francisco or  
1301 Clay Street, 4th Floor, Room 470S, Oakland



Email us at [federalprobonoproject@sfbbar.org](mailto:federalprobonoproject@sfbbar.org)

*This email is to schedule appointments - no legal advice is given over email.*



If your case was assigned to a judge in the San Jose federal courthouse, do one of the following:



Call the appointment scheduling line for the Federal Pro Se Program: 408-297-1480



Monday to Thursday 9:00 am - 12:00 pm, drop in at

The Law Foundation of Silicon Valley, 152 North 3rd St., 3rd Floor, San Jose

Monday to Thursday 1:00 pm - 4:00 pm, drop in at

280 South 1st Street, 2nd Floor, Room 2070, San Jose



### WHAT IS AN ORDER TO SHOW CAUSE?

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



### HOW TO COMPLETE THIS TEMPLATE

- 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. 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.
- Fill in the case information.** Fill in all of the blanks on the first page.

- 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.
- Finalize the Response.** Read the Response to make sure it is complete and correct. Sign and date.
- Prepare the Certificate of Service.** Each document that you file must be "served" on each other party, usually by sending it in the mail. Follow the instructions on the Certificate of Service.



## FILING AND SERVING YOUR RESPONSE

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1. **Make copies.** Once the documents are complete, 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 copy for each of them.)
2. **File the Response.** Deliver or mail the *original plus two copies* of the Response and Certificate of Service to the Clerk's Office at the federal courthouse where the Judge for your case is located. The Clerk will take the original and the copy marked "Chambers." The other copy is for you to keep after it is stamped by the Clerk. If you file by mail, include a self-addressed, stamped envelope so that the Clerk can send copies back to you.
3. **Serve the Response.** Be sure that the Response and Certificate are served on each party.



## STAY UP TO DATE

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1. **Update your contact information.** File a notice with the Clerk right away if your address, email, or phone number changes, or you may miss important deadlines, causing you to lose your case.
2. **Check your mail.** Be sure to check regularly for documents from the Court and opposing side.
3. A list of all of the documents that have been filed, and (usually) the documents themselves can be viewed online. See Chapter 7 of the Handbook for Pro Se Litigants (see below), and contact the Legal Help Center for information about how to access the documents (see page 1).



## UNDERSTANDING THE LAWS AND RULES

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The Legal Help Centers (see page 1) 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 [www.cand.uscourts.gov/prosehandbk](http://www.cand.uscourts.gov/prosehandbk).
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 <http://www.cand.uscourts.gov/Legal-Help-Center-Templates>.
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 <http://www.uscourts.gov/sites/default/files/rules-of-civil-procedure.pdf>.
4. **Local Rules.** The Local Rules apply in this District only, and are available at <http://www.cand.uscourts.gov/localrules/civil>.

1 Your name: \_\_\_\_\_

2 Address: \_\_\_\_\_

3 \_\_\_\_\_

4 Phone Number: \_\_\_\_\_

5 E-mail Address: \_\_\_\_\_

6 Pro se

7

8

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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

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\_\_\_\_\_ ) Case Number: \_\_\_\_\_

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\_\_\_\_\_ )

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Plaintiff,

**RESPONSE TO ORDER TO SHOW CAUSE**

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vs.

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\_\_\_\_\_ )

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\_\_\_\_\_ )

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\_\_\_\_\_ )

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Hon. \_\_\_\_\_

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Defendant.

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*[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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RESPONSE TO ORDER TO SHOW CAUSE

CASE NO.: \_\_\_\_\_; PAGE \_\_\_\_ OF \_\_\_\_ [JDC TEMPLATE – rev. 2017]



**CERTIFICATE OF SERVICE**

*You must serve each document you file by sending or delivering to the opposing side. Complete this form, and include it with the Motion to Change Date of CMC that you file and serve.*

1. **Case name:** \_\_\_\_\_ v. \_\_\_\_\_

2. **Case number:** \_\_\_\_\_

3. **Documents served:** Response to Order to Show Cause

4. **How was the Motion served?** *[check one]*

Placed in U.S. Mail

Hand-delivered

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

Sent by fax (if the other party has agreed to accept service by fax)

5. **On whom was the Motion served?** *[For each person who was sent the document, write their full name and contact information used.]*

_____	_____
_____	_____
_____	_____
_____	_____

6. **When was the Motion served?** \_\_\_\_\_

7. **Who served the Motion?** *[Whoever puts it into the mail, faxes, delivers or sends for delivery should sign, and print their name and address. You can do this yourself.]*

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

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_