



## CalPleadings™ Reference Guide

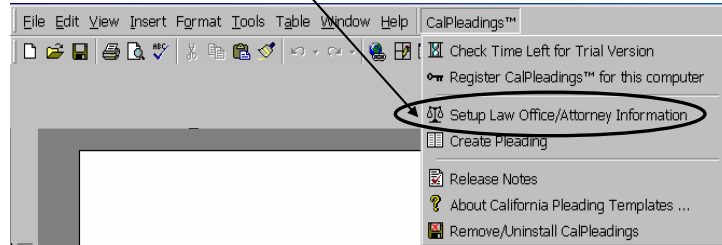
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## Setup Information for your Law Office and Attorneys

1. On the CalPleadings™ menu, choose **Setup Law Office/Attorney Information**



2. Enter the name, address, phone & fax numbers of your law office, as shown in this example:

A screenshot of the 'California Pleading Templates - Setup' dialog box. It contains the following fields and text:

Please enter the following information for your law office, as you want it appear on the caption page of pleadings you create for California courts.

Name of Law Office: The Johnson Law Group

Address: 1300 Woodside Road  
Suite 1100  
Monterey, CA 92311

Phone: Telephone: 831-373-1919 Show Examples  
Type phone information exactly as you want it to appear on the caption page

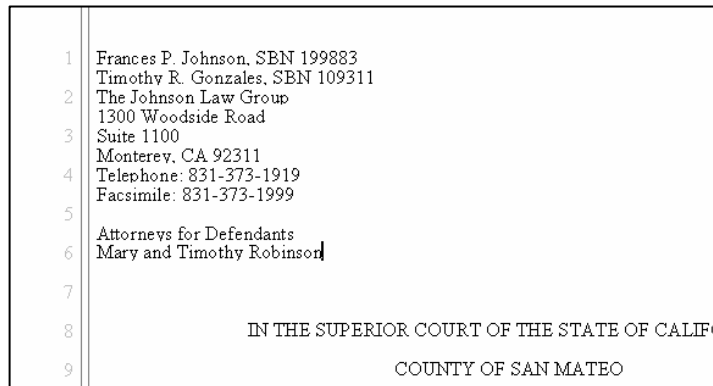
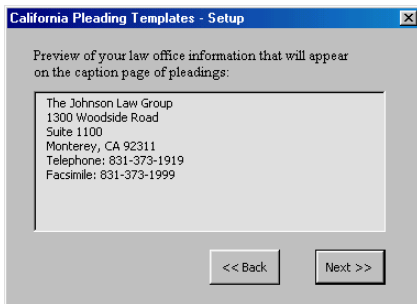
Fax: Facsimile: 831-373-1999 Show Examples  
Type fax information exactly as you want it to appear on the caption page

Buttons: Cancel, NEXT >>

Click **Next** when finished.

3. Preview of the information you entered in Step 2 is displayed.

Preview screen corresponds to the information shown at top of Page 1 of a pleading you create with CalPleadings, as shown in this example:



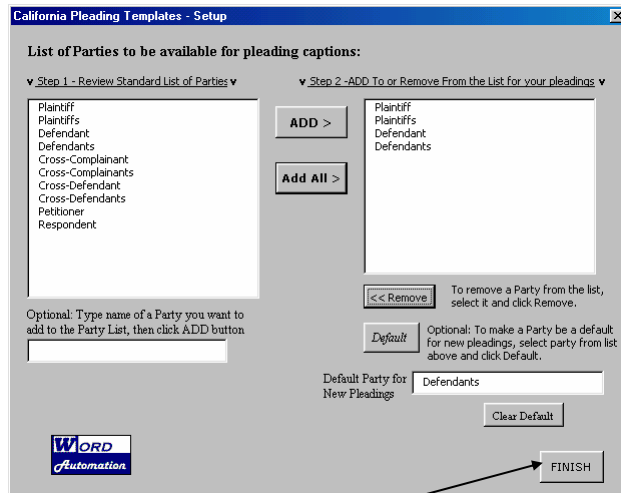
4. Select the **style** of Attorney Name and California State Bar Number.

Click **Next** when finished.

5. Enter *attorney name* and *State Bar Number*, then click **Add** button.

When finished adding information for attorneys, click **Next**.

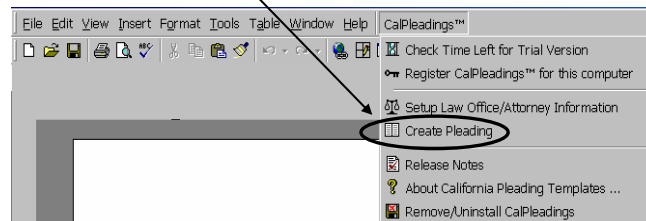
6. Select parties you wish to be available for pleadings you will create with CalPleadings, as shown in this example:



Click **Finish** button.

## Create a Pleading

1. On the CalPleadings™ menu, choose **Create Pleading**



2. Select Court for the pleading, and enter the County if pleading is for Superior Court.



Instructions and examples are provided for pleadings in **Superior Court**.

3. Select attorney(s) for the pleading – click dropdown arrow to list all attorneys entered in CalPleadings setup.

Click **Add** to insert the Attorney name & state bar number

Click **Signed By** to insert the Attorney name who will sign the pleading

Click the dropdown arrow to select the **party** your law office represents for this pleading

*optional* Enter the name of the party your law office represents

The Johnson Law Group  
1300 Woodside Road  
Suite 1100  
Monterey, CA 92311  
Telephone: 831-373-1919  
Facsimile: 831-373-1999

Click **Next** when finished.

4. Enter information for caption area, as shown in this example:

IN THE SUPERIOR COURT OF CALIFORNIA  
COUNTY OF San Mateo

Type Information for First Party:  
Mark Denton dba Denton Construction Company,  
Plaintiff

vs.

Type Information for Second Party:  
Mary and Timothy Robinson, Lake Park Homeowners Association, et al.,  
Defendants

Case No.: CV-182559

Title of Pleading:  
ANSWER TO COMPLAINT

Optional: Information under title

Signing Attorney: Frances P. Johnson, SBN 199883

Optional Signature for Order or Declaration:  
Judge's Name: \_\_\_\_\_ Individual's Name: \_\_\_\_\_

You can add text to appear below the title, such as *Hearing Date, Trial Date, Judge, etc.*

Click **Finish** to display the pleading.

5. Pleading appears: adjust position of Court & County text, depending on information that appears at top

Standard position for court line is **Line 8** – delete or add blank lines *above court text* to align first line of court information

Position of first line of body text, below the caption, is determined by amount of text *in and above the caption*. **To align body text ¶ to a numbered line** you can insert or delete paragraphs below caption.

Title of Pleading will automatically print in footer of each page.

*Note: In complex cases with multiple counsel, the court text must appear below Line 8. Therefore, you can adjust the position of the court text and caption to any appropriate place.*

[Exempt From Filing Fees Pursuant To Government Code §6103]

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ALAMEDA - HAYWARD HALL OF JUSTICE

Case No. : 2001-033063  
(UNLIMITED JURISDICTION)

**REPLY MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF RESPONDENT CITY OF OAKLAND'S DEMURRER AND MOTION TO STRIKE**

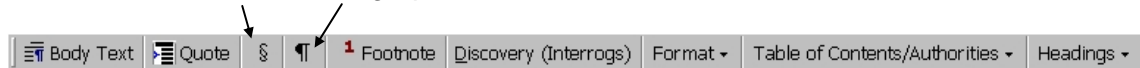
Dept. : 512 (Southern Division)  
Judge: Hon. Bonnie Lewman Sabraw  
Trial Date: November 20, 2002 (Writ Claims)  
Hr. Date: October 9, 2002  
Time: 9:00 a.m.

## Using the CalPleadings™ Toolbar in Pleadings

CalPleadings™ Toolbar contains tools for

- Format
- Footnotes
- Discovery phrases
- Headings
- Table of Contents
- Table of Authorities

### Symbols – Section Break § Paragraph Mark ¶



Click either of these symbol buttons to insert the symbol into the document.

### Format Text in a Pleading

As text is typed in a pleading, or when text is *pasted* into a pleading, you can apply proper pleading format to each text paragraph by using these buttons on the CalPleadings™ toolbar:

**Body Text** button will apply proper line spacing in the paragraph, and will align text with the numbered lines on pleading paper.

**Quote** button will apply proper line spacing and **indent** the paragraph (single-spaced indented quote).

To insert a footnote, position the cursor first, then click on the **Footnote** button.

1 pleading any facts or law to establish that he is entitled to so amend. Under these  
 2 circumstances, where Petitioner has provided no substantive opposition, there is *no basis* for  
 3 this Court to deny either the City's Demurrer or Motion to Strike, and there is *no basis* for the  
 4 Court to grant leave to amend.

5 **II. LEGAL ARGUMENT**

6 **A. The City's Demurrer Should Be Sustained Without Leave to Amend**

7 1. **Once a Defendant Has Met Its Burden to Establish That a**  
 8 **Demurrer Should Be Sustained, the Burden is on the Plaintiff**  
 9 **to Demonstrate That Amendment Would Cure the Defects**

10 California law on this point is absolutely clear.

11 In *Hendy v. Loss* (1991) 54 Cal.3d 723, the California Supreme Court upheld the  
 12 sustaining of demurrer without leave to amend, holding that once the demurrer is sustained:  
 13 "*The burden is on the plaintiff ... to demonstrate the manner in which the complaint might be*  
 14 *amended.*" (Emphasis added.) *Id.* at 742.

15 In *Goodman v. Kennedy* (1976) 18 Cal.3d 335, 342 the California Supreme Court  
 16 concluded that the trial court properly sustained a demurrer to a cause of action for fraud  
 17 without leave to amend, stating:

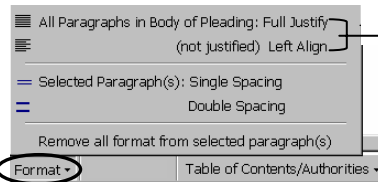
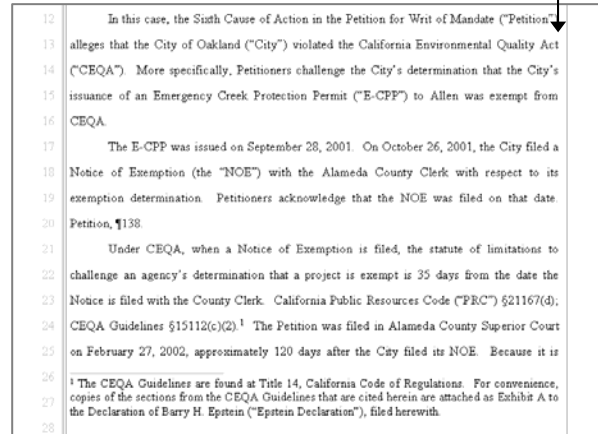
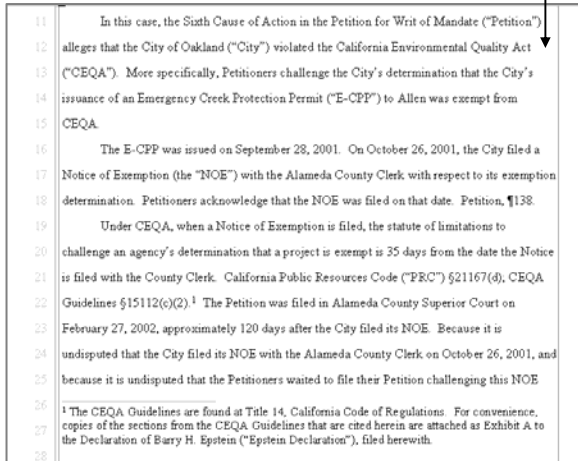
18 { *Plaintiff must show in what manner he can amend his complaint and how that*  
 19 *amendment will change the legal effect of his pleading...* The only suggestion by  
 20 plaintiffs of a possible relevant amendment to their complaint appears in their  
 final brief where they state "If this Court will give [plaintiffs] the opportunity to  
 do so and if it believes it to be necessary, [plaintiffs] will allege that which they  
 believe is implicit in their complaint, that they did not know the facts which  
 were not told to them nor were such facts readily accessible." However, they

## Format Tools

### Adjust Alignment of Text Paragraphs below Caption

**Full Justify** (aligned on both left and right margins)

**Left Align** (not justified)



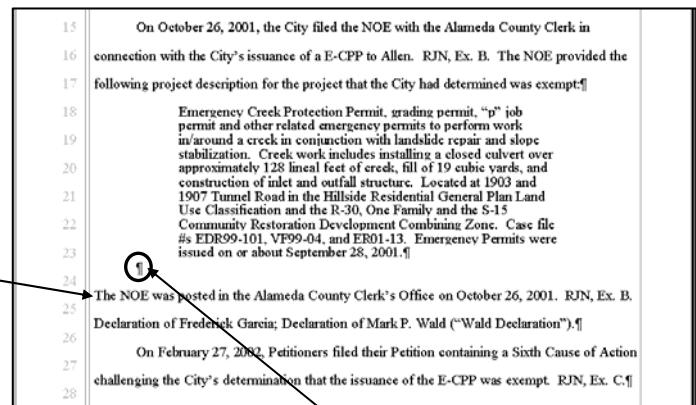
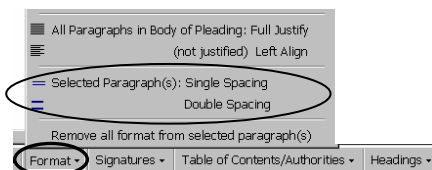
1. Click the **Format** button on the CalPleadings toolbar

2. Choose the option on the menu you prefer for text alignment of all these paragraphs in the pleading:

- Body Text
- Footnotes
- Indented Quotes

### Align Paragraph Text to Numbered Line

The paragraph following a heading or indented quote – as shown in this example – may not line up to a numbered line in pleading paper.



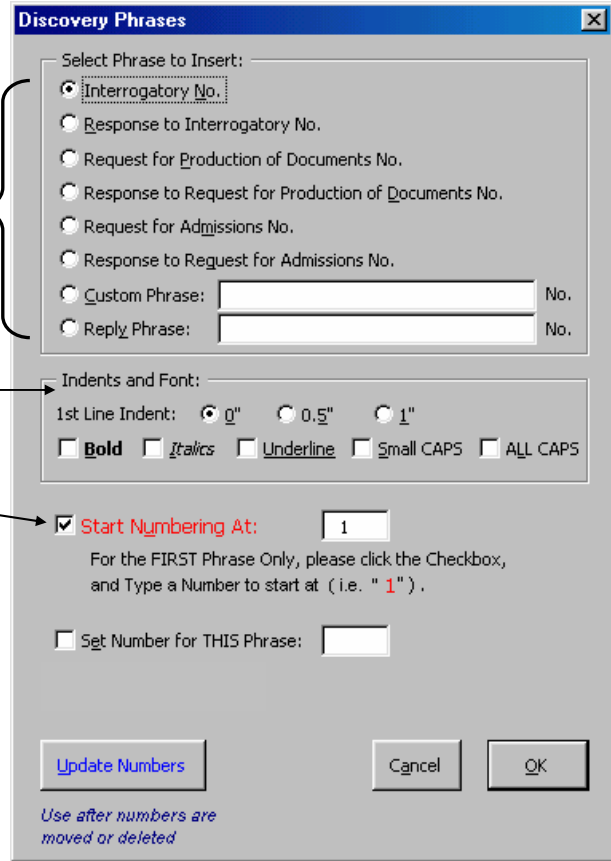
To adjust the position of the paragraph following a heading or indented quote, add a ¶ blank paragraph (hard return) after the heading or quote, then choose **Single Spacing** on the **Format** menu.

## Discovery Phrases

1. Click the **Discovery** button on the CalPleadings toolbar (or press **Alt+D**)



2. Select the *phrase* you wish to insert into the document



3. Select options for indent and font format

4. Type the *Starting Number*

(For instance, if you create the First Set of Interrogatories, the Starting Number is 1.  
If you create a Second Set of Interrogatories, the Starting Number might be 150)

5. Click **OK** to insert the phrase into the document, as shown in this example:

### Interrogatory No. 1:

Note: The numbering in the discovery phrases are *fields*. If you insert, move or delete discovery phrases the *fields do not automatically renumber*.

**To refresh the field numbers in discovery phrases:** display the Discovery Phrases window and click the **Update Numbers** button.

## Caption Tools

The screenshot displays a legal document template with a caption tool menu open. The document text includes:

1 Frances P. Johnson, SBN 199883  
2 Timothy R. Gorzales, SBN 109311  
3 The Johnson Law Group  
4 1300 Woodside Road  
5 Suite 1100  
6 Monterey, CA 92311  
7 Telephone: 831-373-1919  
8 Facsimile: 831-373-1999  
9 Attorneys for Defendants

10  
11  
12 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
13 COUNTY OF SAN MATEO

14  
15  
16

Case No. CV-182559  
ANSWER TO COMPLAINT

Plaintiff  
vs.  
Defendants

**Caption Tools**

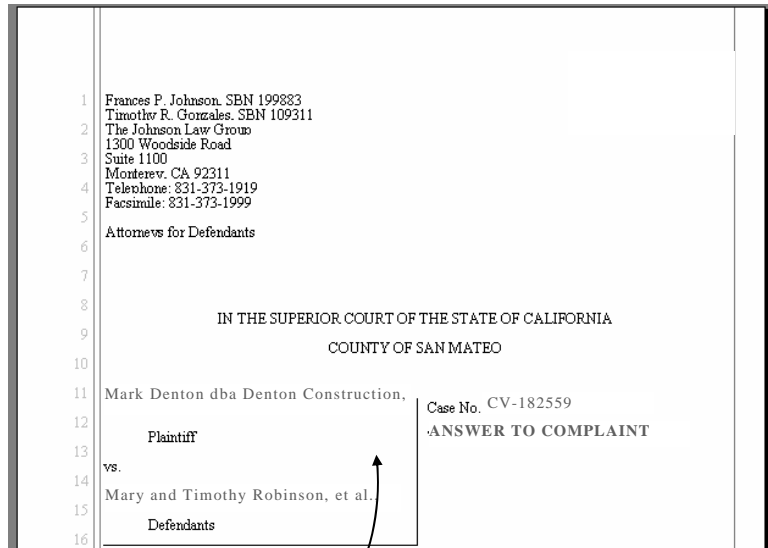
- Add Date/Time/Dept under Title
- Add Cross-Action
- All Paragraphs in Body of Pleading: Full Justify (not justified) Left Align
- Selected Paragraph(s): Single Spacing Double Spacing
- Remove all format from selected paragraph(s)

Body Text | Quote | 1 Footnote | Discovery (Interrog.) | **Format** | Table of Contents/Authorities | Headings

You can add **Hearing Date, Trial Date, Judge, Department, etc.** under the title.

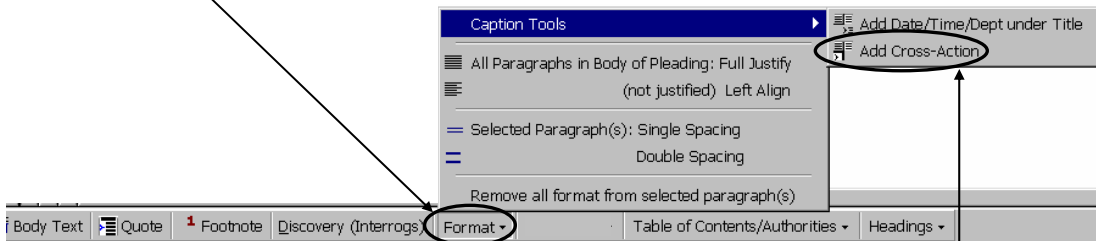
## Caption Tools

### Add Cross-Action

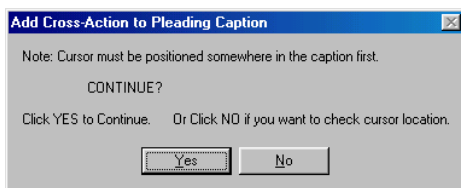


You can add a **cross-action** to the caption.

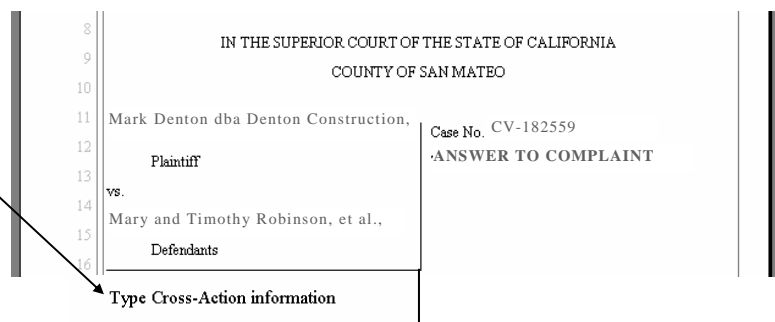
1. Place cursor anywhere in the CAPTION area first.
2. Click the **Format** button on the CalPleadings toolbar



3. Select **Caption Tools**, then select **Add Cross-Action**
4. When this message appears, click **Yes** to confirm if the cursor is positioned in the Caption.



A new area in the caption is created for cross-action information.  
Delete the text **Type Cross-Action information** and type cross-action text for the case.



## Headings for Motions and Briefs

**Headings** button on the CalPleadings toolbar automatically "flags" headings for inclusion in a Table of Contents.

1 I. ←

2 INTRODUCTION

3 On September 13, 2002, Respondent City of Oakland ("City") filed two pleadings in

4 this matter: First, the City filed a Demurrer to the Amended Petition for Alternative and

5 Peremptory Writs of Mandate and Complaint for Declaratory and Injunctive Relief, Damages

6 and Attorneys' Fees ("Amended Petition") filed by John Allen ("Petitioner"). Second, the City

7 filed a Motion to Strike portions of the Amended Petition.

8 II. ←

9 LEGAL ARGUMENT

10 A. The City's Demurrer Should Be Sustained Without Leave to Amend

11 1. Once a Defendant Has Met Its Burden to Establish That a Demurrer

12 Should Be Sustained. the Burden is on the Plaintiff to Demonstrate

13 That Amendment Would Cure the Defects

14 California law on this point is absolutely clear. In *Hendy v. Loss* (1991) 54 Cal.3d 723,

15 the California Supreme Court upheld the sustaining of demurrer without leave to amend,

16 holding that once the demurrer is sustained: "*The burden is on the plaintiff ... to demonstrate*

17 *the manner in which the complaint might be amended.*" (Emphasis added.) *Id.* at 742.

18 In *Goodman v. Kennedy* (1976) 18 Cal.3d 335, 342 the California Supreme Court

concluded that the trial court properly sustained a demurrer to a cause of action for fraud

Level 1 - Centered, Bold, All Caps  
 Level 2 - At Left Margin, Bold  
 Level 3 - Indented at 0.5"  
 Level 4 - Indented at 1.0"  
 Level 5 - Indented at 1.5"  
 Level 6 - Indented at 2.0"  
 Level 7 - Indented at 2.5"

Centered Heading

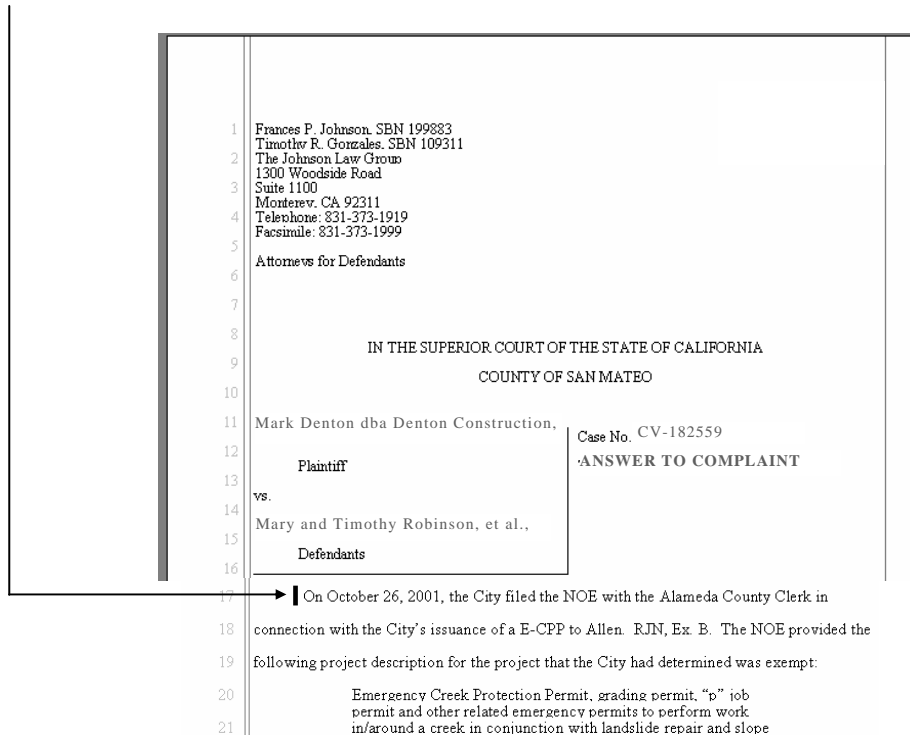
Body Text Quote Footnote Discovery (Interrog) Format Table of Contents/Authorities Headings

## Insert Sections for Table of Contents and Table of Authorities

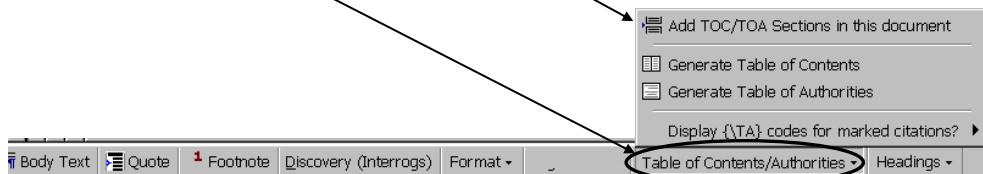
Pleadings in Superior or United States District Courts sometimes require Table of Contents and Table of Authorities. Using these features in Microsoft Word, especially for California court pleadings, can be very confusing and difficult.

CalPleadings provides an easy, reliable tool for inserting a section for Table of Contents & Table of Authorities into any pleading for Superior or U.S. District Court.

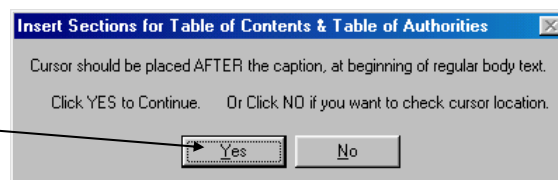
1. Insert the cursor **at the beginning of the first Body Text paragraph**, just after the caption, as shown in this example:



2. Click **Table of Contents/Authorities**, then choose **Add TOC/TOA Sections in document**



3. To confirm that cursor is positioned after the caption, at beginning of first body text paragraph – click **Yes**.



4. Two new pages are inserted *after the caption page*, as shown in this example:

1	TABLE OF CONTENTS		
2			<u>Page(s)</u>
3	Click <b>Table of Contents/Authorities</b> button below, choose <b>Generate Table of Contents</b>		
4	or ... type entries manually		

1	TABLE OF AUTHORITIES		
2			<u>Page(s)</u>
3	Click <b>Table of Contents/Authorities</b> button below, choose <b>Generate Table of Authorities</b>		
4	or ... type entries manually		

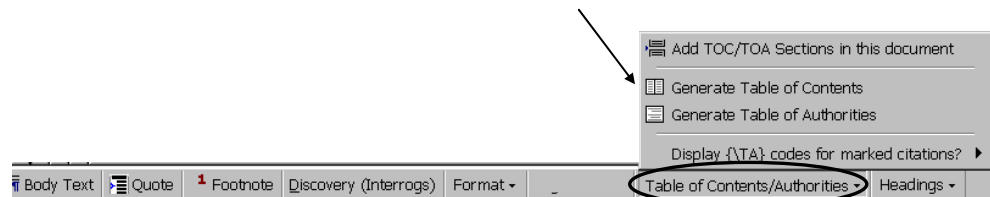
**Page Numbers** for these sections are changed to **roman numerals**

26			
27			
28			
	Footer -Section 2-	1	
	MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR SUMMARY ADJUDICATION		

## TABLE OF CONTENTS

**Note:** This command is designed to work in pleadings created using CalPleadings and the **Headings** button on the CalPleadings toolbar.

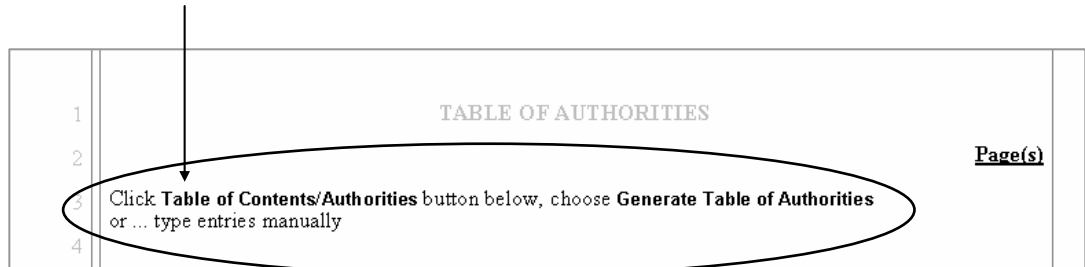
1. **Place cursor in the exact position** where you want Table of Contents entries to be inserted (where the first heading will appear).
2. Click **Table of Contents** button on the toolbar and choose **Generate Table of Contents**.



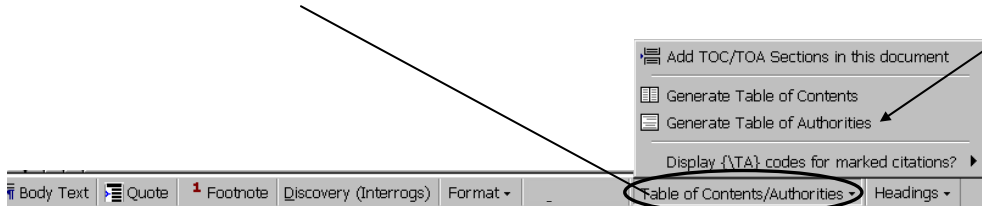
## TABLE OF AUTHORITIES

**Note:** This command is designed to work in pleadings created using CalPleadings and citations and authorities have been **marked properly** using the **Mark Citation** feature in Microsoft Word.

1. Place cursor in the exact position where you want authorities marked in the pleading to be inserted, as shown in this example: (select and delete the sample text)



2. Click **Table of Contents** button on the toolbar and choose **Generate Table of Authorities**.



**Word Automation**  
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San Diego, CA 92103  
619-819-8224

[info@wordautomation.com](mailto:info@wordautomation.com)  
[www.wordautomation.com](http://www.wordautomation.com)