

# **Electronic Access to Case-Related Information and Other Electronic Services Available to the Public**

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SURVEY OF CALIFORNIA'S SUPERIOR COURTS  
JULY 2007



ADMINISTRATIVE OFFICE  
OF THE COURTS

# **Electronic Access to Case-Related Information and Other Electronic Services Available to the Public**

## **Survey of California's Superior Courts (July 2007)**

In April 2007, the Judicial Council conducted a survey of California's 58 superior courts to gain a comprehensive understanding of the different types of electronic information and services available in each court as well as the fees charged for accessing that information or service. Results were received in April, May, and June 2007 and reflect the wide variety of practices and services statewide relative to electronic access to information, both remotely and by use of public terminals at courthouses.

The survey instrument contained five sections that (1) assessed the availability of electronic case-related information, both at the courthouse via public terminals and/or kiosks and remotely via the Internet; (2) identified fees charged for electronic access to case-related information; (3) determined the electronic services available (such as electronic filing) and the fees charged for such services; (4) collected information on general system security issues; and (5) inquired broadly about goals for public access to case-related information.

### **Summary**

Fifty-four of the 58 superior courts (93%) responded to the survey. The survey results demonstrate that most trial courts are providing at least some electronic access to information, although the amounts and types of case-related information varies significantly statewide, and can even vary within a county. The survey also finds that courts have adopted different approaches to assessing fees for accessing, viewing, and copying electronic information. The vast majority of courts report that they do not assess any fee for accessing or viewing electronic case-related information, with only three courts reporting that they charge fees for such information. The fees for printing such information also vary considerably statewide, with many courts imposing no fee, some charging fees only for information accessed over the Internet, and some charging fees only for information accessed on public terminals or kiosks at the court. Court users are also increasingly being provided greater opportunities to access select court services online. One-half of California's trial courts allow payment of traffic fees online. One-fourth permit other fines and judgments to be paid online, and one-fourth allow parties or attorneys to file one or more case types electronically. The survey also demonstrates that most courts wish to provide greater public access to electronic information than they currently do; several courts report having immediate or short-term plans to do so.

The following report summarizes responses to sections 1, 2, and 3 of the survey, described above.<sup>1</sup>

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<sup>1</sup> In limited instances respondents' answers were not fully responsive to the question asked; correct answers were determined based on answers to other questions in the survey, research on the court's Web site, or follow-up with the court directly.

## Section I. Electronic Case-Related Information

Electronic court case information may be accessible either at courthouses via public terminals and/or kiosks or remotely via the Internet. This section of the survey sought to collect data on the type of case-related information that are accessible by either or both of the above methods. Of the 54 respondents, 13 courts (24%) have no case-related electronic information available at the courthouse for any case type, and 11 courts (20%) have no case-related information accessible remotely over the Internet.

Table 1. Courts with case information accessible to the public electronically **at the courthouse**, by case type

<b>Case Element</b>	<b>Criminal</b>	<b>Civil [Ltd]</b>	<b>Civil [Unltd]</b>	<b>Probate</b>	<b>Small Claims</b>	<b>Family</b>	<b>Juvenile</b>
Calendars	21 (39%)	29 (54%)	29 (54%)	29 (54%)	27 (50%)	28 (52%)	0
Case Document Images	5 (9%)	10 (19%)	12 (22%)	9 (17%)	7 (13%)	6 (11%)	0
Register of Actions	21 (39%)	31 (57%)	29 (54%)	31 (57%)	30 (56%)	28 (52%)	0
Case Index	30 (56%)	35 (65%)	35 (65%)	34 (63%)	34 (63%)	34 (63%)	0
Future Hearings	26 (48%)	35 (65%)	35 (65%)	36 (67%)	35 (65%)	33 (61%)	0
Minutes	17 (31%)	20 (37%)	20 (37%)	17 (31%)	17 (31%)	16 (30%)	0
Rulings and CMC Orders	8 (15%)	15 (28%)	16 (30%)	13 (24%)	13 (24%)	12 (22%)	0
Tentative Rulings	2 (4%)	14 (26%)	17 (31%)	15 (28%)	4 (7%)	4 (7%)	0
Judgments	11 (20%)	18 (33%)	19 (35%)	16 (30%)	18 (33%)	15 (28%)	0
Other	2 (4%)	2 (4%)	2 (4%)	3 (6%)	2 (4%)	2 (4%)	0
No Case Information	18 (33%)	15 (28%)	14 (26%)	15 (28%)	16 (30%)	16 (30%)	54 (100%)

Table 2. Courts with case information electronically accessible to the public **remotely via the Internet**, by case type.

Case Element	Criminal	Civil [Ltd]	Civil [Unltd]	Probate	Small Claims	Family	Juvenile
Calendars	26 (48%)	36 (67%)	36 (67%)	35 (65%)	33 (61%)	34 (63%)	1 (2%)
Case Document Images	0	5 (9%)	7 (13%)	3 (6%)	2 (4%)	1 (2%)	0
Register of Actions	6 (11%)	17 (31%)	17 (31%)	17 (31%)	15 (28%)	16 (30%)	0
Case Index	16 (30%)	23 (43%)	23 (43%)	22 (41%)	21 (39%)	22 (41%)	0
Future Hearings	20 (37%)	28 (52%)	28 (52%)	29 (54%)	26 (48%)	27 (50%)	0
Minutes	3 (6%)	7 (13%)	7 (13%)	5 (9%)	5 (9%)	4 (7%)	0
Rulings and CMC Orders	1 (2%)	11 (20%)	12 (22%)	7 (13%)	7 (13%)	6 (11%)	0
Tentative Rulings	2 (4%)	24 (44%)	27 (50%)	25 (46%)	8 (15%)	11 (20%)	0
Judgments	4 (7%)	10 (19%)	10 (19%)	7 (13%)	7 (13%)	6 (11%)	0
Other	2 (4%)	2 (4%)	2 (4%)	3 (6%)	2 (4%)	2 (4%)	0
No Case Information	19 (35%)	12 (22%)	12 (22%)	11 (20%)	15 (28%)	14 (26%)	53 (98%)

In some courts, some items of case-related information are available only for cases filed at a single court location and not at all court locations in the county. Some courts noted that although they do not have public access terminals in all court locations, the terminals they do have allow individuals to access case-related information regardless of the branch in which the case was filed. Thirty-eight courts (70%) responded that the same case-related information is available regardless of the court location in which the matter was filed; four courts (7%) indicated that the same information was not available across court locations. For example, the Superior Court of San Joaquin County noted that certain case documents filed in the Stockton branch (during a limited time period) were imaged, but that was not done in other branches of the court. In Los Angeles, case document images are available in unlimited civil cases and probate matters filed in the downtown Mosk Courthouse.

Table 3. Availability of case-related information in court locations

Is the same information available for cases filed in all court locations in the county, for all case types?	# of Courts Responding
Yes	38 (70%)
No	4 (7%)
N/A	10 (19%)
No answer	2 (4%)

In addition to whether case documents are available electronically, the survey sought to determine whether the electronic information is up to date. The survey asked respondents that have scanning or electronic filing capabilities and that make the scanned or e-filed documents available electronically whether the documents are available by the next business day after filing.

According to the survey responses, 16 courts (30%) make scanned or e-filed documents available publicly in at least one case type. Of those, only 2 do not provide the information within one business day after filing.

Table 4. Availability of scanned / e-filed documents

	<b>Criminal</b>	<b>Civil (Ltd)</b>	<b>Civil (Unltd)</b>	<b>Probate</b>	<b>Small Claims</b>	<b>Family</b>	<b>Juvenile</b>
Courts with scanned/ e-filed docs electronically available	7	11	15	11	9	8	4
No scanned/ e-filed documents available	47	43	39	43	45	46	50

Given that some courts may soon make expanded electronic access to case-related information available to the public, the survey also inquired whether the responding courts had plans to expand their electronic access to additional case types or offer additional information for case types in which electronic access is currently provided. Twelve courts (22% of respondents) indicated that the court had no current plans to increase electronic access; 10 courts (19%) provided no response to the question. The remaining 34 courts indicated some future plans to provide additional access to case-related information, whether through implementation of the California Court Case Management System (CCMS) or through other local court-based initiatives.

The final question in this section of the survey sought to determine how user-friendly and accessible the information is for the public. The survey therefore asked respondents to identify the methods by which a user is able to locate information on the electronic system. All courts that have electronically available information had at least two methods for searching for cases. Thirty-seven courts (86% of the 43 courts with some form of electronically available case-related information) had three or more search criteria.

Table 5. Method to locate case information electronically

<b>Method to locate case information on the electronic system</b>	<b># of Courts</b>
Party name search	42 (78%)
Case number search	42 (78%)
Attorney search	14 (26%)
Document search	3 (6%)
Search for all filings made by date	15 (28%)
Other	13 ((28%)
Courts with no electronic case information available	11 (20%)

## Section II. Fees for Case-Related Information

Section II of the survey sought to catalog and collect information on fees that courts impose for various types of electronically available information and the methods by which those fees are assessed. The survey responses indicated that three courts charge a fee for accessing or viewing information: Kern, Los Angeles, and Yolo. In Kern, the fee is imposed on researchers seeking access to the civil, family law, and probate case indexes. In Yolo, the fee is imposed on local agencies that are given remote access to the database. The Superior Court of Los Angeles County assesses the following fees (which the court describes as search fees):

Civil Index:	Fee for each party name search: \$4.75
Criminal Index:	Fee for 1–99 cases: \$4.75 per search
	Fee for 100–999 cases: \$4.50 per search
	Fee for 1,000–10,000 cases: \$4.25 per search
	Fee for 10,001 or more cases: \$4.00 per search
Case Document Images:	Download up to 10 pages: \$7.50
	\$0.07 per page downloaded in excess of 10 pages; maximum \$40

The survey also asked whether courts charged a fee for duplicating electronic case information. It is uncertain whether all the survey respondents answered this question in the same way. Some respondents clearly indicated that there was no fee for printing off a public terminal, but if the clerk was performing the search on the clerk’s computer terminal and printing the information, then the uniform \$0.50-per-page fee was charged. Other courts may or may not have intended to qualify their responses in this same manner. Nevertheless, the responses are indicated below.

Table 6. Fee for Duplicating Electronic Case Information

	# of Courts
Yes	22
No	21
N/A	10
No answer	1

In 16 courts a fee of \$0.50 per page is assessed; one court noted it charges a “minimal per page fee” for printing a document on a court’s public access terminal, and one court stated that a per-page copy fee is charged but did not specify the amount. However, the responses were more nuanced than they appear. The Superior Court of Sacramento County, for example, indicated that there is a \$0.50 per-page fee to print electronic case-related information but only in probate matters. In Orange, the \$0.50 per-page fee applies to case documents but not the register of actions or the case index. San Diego, on the other hand, levies a \$0.50 per-page fee to print out the register of actions. San Joaquin imposes a \$1.50 fee to generate the register of actions but \$0.50 per-page for copies of imaged documents. One court (Napa) noted that the fee for duplication is limited to “actual costs.”

Several courts also provide CDs with various types of case-related information at no cost (Santa Barbara) up to \$25 (Marin, San Bernardino).

The survey also sought to determine whether the same fee applies to all case types and all customers and whether the fee was the same when the information was accessed at a courthouse kiosk or terminal, via the Internet, or with the assistance of court staff. According to the vast majority of courts responding, any fees assessed apply regardless of case type or customer type. There were, however, a few exceptions.

Table 7. Fee differences by case type

<b>Court</b>	<b>Fee Differences by Case Type</b>
Los Angeles	Different fee schedule for civil and criminal index searches (see above)
Sacramento	Duplication fee only in probate matters

Table 8. Fee difference by customer type

<b>Court</b>	<b>Fee Differences by Customer</b>
Kern	Researchers/vendors: Access to civil, family law, and probate index e-mailed for \$200 per month; \$1,200 per year for past years' indexes
Napa	Governmental agencies not charged
Orange	Fee charged only to defendants/attorney of record in criminal cases
San Joaquin	Fee varies if private party or government agency
Sonoma	Law enforcement personnel and low-income individuals (and their attorneys of record) exempt from fees

There appears to be somewhat greater variance with fees assessed for information provided at the courthouse as opposed to remotely via the Internet. Ten courts (19%) replied that the fee was the same regardless of the electronic method of accessing the information. Six courts (11%) noted that the fee was different; 2 courts (4%) did not provide a response; and 34 courts (63%) replied that the question was not applicable, either because no fees are charged or because information is accessible only at the courthouse or remotely, but not both. The six courts reporting fee differences break down as follows:

Table 9. Fee difference by method of obtaining electronic information

<b>Court</b>	<b>Fee for obtaining electronic information</b>
Contra Costa	No fee when accessed remotely
Los Angeles	No fee for use of court terminal
Madera	No fee for information accessed via Web site
San Diego	Fee for copies of information printed from public access terminals
San Luis Obispo	No fee for Internet access
Yolo	Local agencies charged a fee for Internet access

Courts gave disparate and inconsistent responses to the survey question about different charges when electronic information is accessed or conveyed by court staff to a court user, so comparisons are not included in this report. However, Los Angeles provided a detailed response that deserves mention. If a request is processed by court staff, the following fees apply:

Court records index search: \$5 for each name searched  
 \$5 per alias, in addition to the above, if there is an alias

Exempt from these fees: State, county, city, or federal government  
 Nonprofit agency receiving government funds  
 Litigant, litigant's family, or litigant's attorney if inquiring about case status  
 Any customer physically unable to use the public index

### Section III. Other Electronic Services

Section III of the survey sought to identify other types of electronic services available to the public to provide greater access to the court. Electronic filing (e-filing) is one service that is becoming more prevalent. Fourteen courts (26%) indicate that e-filing is offered in one or more case types, and several others have plans to begin making e-filing available. More than twice the number of courts providing access through e-filing, 29 courts (54%), give parties the flexibility to pay traffic fines online. Thirteen courts (24%) permit parties to pay other fines or judgments online with a credit card. Although a party can make a court date reservation electronically in only 4 courts (7%), a court date extension may be obtained electronically in 11 courts (20%). Providing online access to juror reporting information is more prevalent. In 32 courts (59%) prospective jurors may access reporting information via the Internet, and in 24 courts (44%) jurors may postpone service online. Additional detail concerning these electronic services follows in Tables 10–12.

Table 10. E-filing by case type

Case Type	# of Courts Providing E-filing
Criminal	5
Civil (Ltd)	5
Civil (Unltd)	8
Probate	3
Small Claims	7
Family	3
Traffic	3
Other	2

There is no additional court fee in 9 of the 14 courts that make e-filing available. The remaining 5 courts do assess a fee; for some it is a flat fee (\$4, \$5, \$10); for others the amount is based on the amount of the claim or the total filing fee paid. In addition, 7 courts indicate that a third party vendor used to support the e-filing service charges the court customer a fee.



Table 11. Courts accepting online payment of traffic fines

<b>Court</b>	<b>Fee (charged by either a vendor or the court)</b>
Alameda	None
Butte	\$ 5.00
Colusa	Not specified
Contra Costa	\$10.00
El Dorado	\$ 5.65
Fresno	\$12.95
Glenn	\$ 5.95
Humboldt	\$12.95
Los Angeles	\$10.00
Madera	\$15.00
Mendocino	\$14.95
Napa	\$ 5.00
Nevada	\$ 5.95
Orange	\$ 4.00
Placer	\$ 5.00
Riverside	\$ 6.95 + \$3.75% of fine
Sacramento	\$ 6.95 + \$3.75% of fine
San Bernardino	\$ 6.95 + \$3.75% of fine
San Francisco	\$ 6.00
San Joaquin	Based on amount of ticket
San Mateo	\$ 5.00 court fee + 2% of total fine
Santa Barbara	Not specified
Santa Cruz	Based on amount of fine + \$9.95 vendor fee
Sierra	\$ 2.50
Siskiyou	Based on amount of fine
Solano	\$12.95
Sonoma	\$ 5.55 (credit card); \$2.50 (e-check)
Ventura	\$ 5.00
Yolo	\$ 6.55

Table 12. Courts accepting online payment of other fines/judgments

<b>Court</b>	<b>Fee (charged by either a vendor or the court)</b>
Alameda	None
Colusa (criminal cases)	Not specified
El Dorado	\$ 5.65
Madera	\$15.00
Mendocino	\$14.95
Nevada	\$ 5.95
San Bernardino	None
San Francisco	None
Santa Barbara	\$ 5.00
Santa Cruz	Based on amount of fine
Sierra	\$ 2.50
Ventura	\$ 5.00
Yolo	\$ 5.00

For additional information, contact Donna Hershkowitz at the Administrative Office of the Courts, Office of Governmental Affairs, at 916-323-3121 or [donna.hershkowitz@jud.ca.gov](mailto:donna.hershkowitz@jud.ca.gov).