VENTURA
SUPERIOR COURT
FILED
JUL 30 2020
MICHAEL D. PLANET
Executive Officer and Clerk
BY: _____, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF VENTURA

ADMINISTRATIVE ORDER RE: In Re Public Access to Newly Filed Nonconfidential Civil Unlimited Complaints

ADMINISTRATIVE ORDER NO. 20.28

The Superior Court of California, County of Ventura, acknowledges the Ninth Circuit Court of Appeals' holdings in *Courthouse News Serv. v. Planet*, 947 F.3d 581 (9th Cir. 2020), (hereinafter "*Planet III*") that:

- the First Amendment qualified right of access to nonconfidential civil complaints arises when complaints are filed with a court;
- this Court's pre-2014 practice of fully processing civil unlimited complaints prior to making them publicly available did not comport with this qualified right of access as applied in *Press-Enterprise Co. v. Superior Court*, 478 U.S. 1 (1986); and,
- this Court's pre-2016 scanning policy, by which court staff scans new civil complaints and makes the electronic scans available on public computer terminals is constitutional.

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In light of the Ninth Circuit's decision in *Planet III*, **and GOOD CAUSE APPEARING, THIS COURT ORDERS AS FOLLOWS** :

1. This Court shall publish on its website and at each of its courthouses, the July 30, 2020 "Notice Of Public Access To Scanned Civil Unlimited Complaints" attached to this Administrative Order as Exhibit "A." The Court shall continue its practice of providing access to electronic copies of new civil unlimited complaints as described in this Notice.

2. This Court shall not revert to the pre-2014 practice of fully processing civil unlimited complaints prior to making them publicly available.

DATED: July 30, 2020

Bruce A. Young
Acting Presiding Judge

EXHIBIT "A"

Superior Court of California
County of Ventura

July 30, 2020

NOTICE OF PUBLIC ACCESS TO SCANNED CIVIL UNLIMITED COMPLAINTS

The Superior Court of California, County of Ventura acknowledges the Ninth Circuit Court of Appeals' holdings in *Courthouse News Serv. v. Planet*, 947 F.3d 581 (9th Cir. 2020), (hereinafter *Planet III)* that:

- the First Amendment qualified right of access to non-confidential civil complaints arises when complaints are filed with a court;
- this Court's pre-2014 practice of fully processing civil unlimited complaints prior to making them publicly available did not comport with this qualified right of access as applied in *Press-Enterprise Co. v. Superior Court*, 478 U.S. 1 (1986); and
- this Court's pre-2016 scanning policy, by which court staff scans new civil unlimited complaints and makes the electronic scans available on public computer terminals is constitutional.

In light of the Ninth Circuit's decision in *Planet III*, in furtherance of its long-standing policy of providing timely access to court records, and in compliance with the Ninth Circuit's decision in *Planet III*, the Court shall continue its current practice of providing electronic copies of all new civil unlimited complaints and exhibits, prior to processing and filing by the Court. These electronic copies may be viewed free of charge on the public computer terminals in the public lobby of the Records & Exhibits department, Room 218, Hall of Justice, 800 South Victoria Ave., Ventura, CA, during regular business hours. Each scan will remain available for review for ten (10) days. During the pendency of the COVID-19 pandemic, the public may schedule an appointment at https://calendly.com/vcscreservations to view these electronic copies on the public computer terminals in the public lobby of the Records & Exhibits department. The Court shall also make these electronic copies available online via the Court's website at: www.ventura.courts.ca.gov/CivilCaseSearch/ScannedComplaints. The Court shall not revert to the pre-2014 practice of fully processing civil unlimited complaints prior to making them publicly available.

The procedures outlined above do not apply to new complaints that are confidential as a matter of law. Similarly, the procedures outlined above do not apply to new complaints that are lodged or filed with the Superior Court pursuant to a motion or application that the complaint be filed under seal. Access to these complaints shall be governed by *California Rules of Court* 2.550 and 2.551. Scanned complaints do not constitute official records of the Court. The Court may ultimately reject for filing any complaint that does not meet the applicable standards of the California Rules of Court. Complaints become official records of the Court only after they are assigned a case number, stamped "filed" and placed in a file folder. Members of the public may review official court files at the Records Department's public counter by appointment. Paper copies of the contents of these files may be obtained by appointment or by an email request to RecordsCorrespondence@ventura.courts.ca.gov at the cost of fifty (.50) cents per page and an additional $40.00 fee for a certified copy.