

Tulare County Superior Court Policy for Record Viewing and Copying

Effective Monday, August 3, 2015, the following is the policy for the viewing and copying of public records in Tulare County Superior Court. This policy must be adhered to by all who wish to view and/or copy court records, including members of the general public and the media.

Some files may not be immediately available because they are located offsite or they are or have been on calendar. Files that are calendared are not available two (2) days prior to and three (3) days after the hearing. Files that are located offsite will be retrieved and available for viewing and copying within two (2) weeks. The requester is advised to call first before returning to the Court.

NOTE: In accordance with California Rules of Court, Rule 2.400(a), under no circumstances will anyone other than the court personnel be allowed to disassemble documents in court files or remove files from the clerk's offices.

All documents in court files are public record, with the exception of those items deemed confidential by statute, regulation, court rule, court order, or case law.

1. File Viewing

If a member of the public wishes to view one or more files, he or she must request them in person at the counter.

Individuals must remain at the customer service windows when viewing Criminal, Traffic, Small Claims, and Appeals files. For Civil, Family Law, and Probate files, individuals must remain at the designated file viewing table.

2. File Limits

The following are the limits for how many of each file type clerks will locate and give to individuals for viewing at one time:

- Appeals: 5 files
- Civil/Family Law/Probate: 5 files
- Criminal: 5 files
- Small Claims: 5 files
- Traffic: 10 files

3. Copying

Copies of court documents (unless deemed confidential by law or sealed by order of the court) maybe requested in person, by mail or using the on-line request form located on the court's website at www.tularesuperiorcourt.ca.gov.

Copy requests will be processed during the hours of 8:00 a.m. and 4:00 p.m. All copy fees, certification fees, and search fees will be charged pursuant to the Government Code listed on the state wide fee scheduled under Record Related Fees.

If the clerk deems the file or the number of requested copies too voluminous to do immediately, a pick up date will be scheduled within two (2) weeks of request. The Court cannot guarantee this date and the requester is advised to call first to confirm that the copies are ready.

The California Rules of Court, Rule 3.55 provides that the clerk's fees for reasonably necessary photocopying must be waived upon granting an application for an initial fee waiver. This court defines the number of photocopies which are reasonably necessary and which will be waived under the fee waiver for the litigant benefited by the fee waiver as only one copy of those papers in the Court's file for the action or proceeding in which the waiver of fees was granted.

Mail-In Records Request

Individuals may also request copies through the mail by providing written case information, a check made out to Tulare County Superior Court, bearing the words "not to exceed (amount) dollars" in the memo section of the check. Please include a self-addressed stamped envelope with sufficient postage so the court can return copies.

If needed, clerks will use the phone number provided to contact individuals for clarification on their requests, or to notify them of significant delays in processing their requests.

For copy requests of different file types, a separate request must be mailed to each division. For example, copies of both Criminal and Civil records cannot be requested in the same letter.

Phone or fax copy requests will not be accepted.

4. Exhibits

Individuals requesting to view and/or copy exhibits shall contact the exhibit clerk through Court Administration at (559) 730-5000. A date, time, and location will be set up at which time the court's exhibit clerk will be present and only the exhibit clerk will be allowed to handle or make copies of the exhibits if requested.

5. Payment

- Individuals will be charged for copies and/or research in accordance with the current Tulare County Superior Court Uniform Fee Schedule (See the Court's website at www.tularesuperiorcourt.ca.gov).
- Copies must be paid for at the time of copying.
- For mail requests or for large copy orders wherein arrangements have been made to be picked at a later date, individuals must pay at the time of the request. You may send a check made out to Tulare County Superior Court, bearing the words "not to exceed (amount) dollars" in the memo section of the check. A receipt will be returned with your copies.
- Fee waivers: The Court will provide a **single copy** of any reasonably necessary document contained in a file to a party who has received a fee waiver. Further copies must be paid for

unless there is a court order dictating otherwise. Fee waivers will be honored for one year from the date signed.