

FILED
Clerk of the Superior Court

DEC 28 2022

By: A. Cabrales

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

IN RE PROCEDURES REGARDING
ELECTRONICALLY IMAGED COURT
RECORDS AND ACCESS TO
ELECTRONIC COURT RECORDS IN
TRAFFIC/MINOR OFFENSE DIVISIONS

GENERAL ORDER OF THE
PRESIDING DEPARTMENT

ORDER NO. 010123-24

THIS COURT FINDS AND ORDERS AS FOLLOWS:

I. TRAFFIC/MINOR OFFENSE IMAGING PROGRAM

On October 23, 2017, the San Diego Superior Court ("court") began an Imaging Program in the Traffic/Minor Offense Divisions ("Imaging Program") designed to reduce paper filings and storage, and facilitate electronic access to traffic/minor offense files. Since that date, the court has been scanning and imaging all papers and documents filed in traffic/minor offense cases. The imaged documents are stored in an electronic court file that can be viewed in any of the court's Traffic/Minor Offense Business Offices.

II. ELECTRONIC COURT FILE IN IMAGED CASES - THE OFFICIAL COURT RECORD

Pursuant to Government Code section 68150 and California Rules of Court ("CRC"), rule 2.504, the electronic court file in Imaging Program cases is the official record of the court. The paper filings that are imaged and stored electronically will be physically stored by the court for 30

1 days after filing, after which time they will be shredded and recycled. During this 30-day period,
2 these documents will not be stored in a manner that will allow a party or its attorney to access them.

3 The court declares that for Imaging Program cases, in the electronic court file the "Case
4 Summary" page, "Findings and Orders of the Court" section, constitutes the official record of the
5 court as to court orders in traffic/minor offense cases for which there is no separately imaged minute
6 order.

7 IV. ENHANCED ELECTRONIC ACCESS TO OFFICIAL COURT FILE AND COURT
8 DOCUMENTS

9 A. Public kiosks providing free access to the official electronic record of the court files for
10 Imaging Program cases are available in the below business offices:

11 1. North County Division, Traffic Business Office, located at 325 S. Melrose Drive, Annex
12 Building, Suite 350, Vista, California 92081.

13 2. Central Division, Kearny Mesa Traffic Business Office, located at 8950 Clairemont Mesa
14 Blvd., San Diego, CA 92123.

15 3. East County Division, Traffic Business Office, located at 250 East Main Street, El Cajon,
16 CA 92020

17 4. South County Division, Traffic Business Office, located at 500 3rd Avenue, Chula Vista,
18 CA 91910

19 The public may access and view all public portions of the files just as they could in the paper
20 court files. If there are people waiting to use the kiosks, a time limit of 15 minutes will be imposed.
21 Additional time will be permitted after waiting in line to use one of the kiosks again. Any changes
22 to this policy will be made by the Presiding Judge of the court and the new policy will be posted in
23 the applicable business offices.

24 B. In accordance with CRC, rule 2.504(d), the public accessing court records electronically
25 are advised that the Manager of traffic court operations, or his or her designee, is the court staff
26 member who may be contacted about the requirements for accessing the court's records
27 electronically in all divisions of the court supporting imaging.

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1 C. Copyright and other proprietary rights may apply to information in a case file, absent
2 express grant of additional rights by the holder of the copyright or other proprietary right. In this
3 regard, the public is advised:

4 (1) Use of such information in a case file is permissible only to the extent permitted
5 by law or court order; and

6 (2) Any use inconsistent with proprietary rights is prohibited.

7 D. Court documents sealed or considered confidential pursuant to statute or rule of court
8 shall remain sealed or confidential and may not be released except to the extent necessary to comply
9 with the law.

10 E. The electronic records of cases within the Imaging Program available for viewing in the
11 traffic/minor Offense business offices are the official records of the court. There is no charge for
12 accessing or viewing court files in the business offices. Copies, including certified copies, of any
13 documents in an electronic court file may be obtained by paying the applicable fee. The court's Fee
14 Schedule is available online on the court's website at www.sdcourt.ca.gov. (See San Diego Superior
15 Court Form #ADM-001). Additional instructions about obtaining printed copies of records from the
16 electronic file will be provided at the kiosk locations in the applicable business offices; instructions
17 are also available online at the court's website listed above.

18 F. Any person who willfully destroys or alters any court record maintained in electronic
19 form is subject to the penalties imposed by Government Code section 6201.

20 G. No person shall photograph or otherwise record any digital images of documents
21 displayed on the kiosk screens in the business offices.

22 H. Court documents from records of Imaging Program cases are not available in electronic format
23 for viewing and printing remotely due to the prohibition to that type of access set forth in CRC, rule
24 2.503(b). Only the traffic/minor offense case Register of Action (ROA) will be available for viewing
25 remotely. The ROA can be accessed by visiting the court's website at www.sdcourt.ca.gov.

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1 This order shall become effective on January 1, 2023, and expire on December 31, 2023,
2 unless otherwise ordered by this court.

3 IT IS SO ORDERED.

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5 DATED: December 28, 2022


HONORABLE MICHAEL T. SMYTH
PRESIDING JUDGE

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