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THIRD READING

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Bill No: AB 1524  
Author: Committee on Judiciary  
Amended: 8/29/25 in Senate  
Vote: 21

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SENATE JUDICIARY COMMITTEE: 13-0, 7/1/25

AYES: Umberg, Niello, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Valladares, Wahab, Weber Pierson, Wiener

ASSEMBLY FLOOR: 79-0, 6/2/25 - See last page for vote

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**SUBJECT:** Courts: fees

**SOURCE:** Author

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**DIGEST:** This bill (1) requires court records maintained in electronic form to be viewable at the court, regardless of whether they are also accessible remotely. This bill (2) requires a member of the public requesting to view and duplicate a public court record on the premises of the court to be allowed to use the requester's equipment to photograph or otherwise copy or reproduce the record, with certain exceptions. This bill (3) prohibits a court from charging a fee for services not specifically authorized by rule or statute that exceeds the cost to the court of providing that service or product. This bill also (4) requires the Judicial Council of California (Judicial Council) to submit a report to the Legislature regarding specified fees charged during certain fiscal years, as provided.

**ANALYSIS:** Existing law:

- 1) Provides, pursuant to the California Constitution, that the people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies are required to be open to public scrutiny. (California Constitution, art. I, § 3 (b)(1).)

- 2) Governs the disclosure of information collected and maintained by public agencies pursuant to the California Public Records Act (CPRA). (Government (Gov.) Code §§ 7920.000 et seq.) Provides that all public records are accessible to the public upon request, unless the record requested is exempt from public disclosure. (Gov. Code § 7922.525.) Defines “state agency” as every state office, officer, department, division, bureau, board, and commission or other state body or agency, except those agencies provided for in Article IV (except Section 20 thereof) or Article VI of the California Constitution. (Gov. Code § 7920.540.)
- 3) Provides that, unless otherwise prohibited by law, any agency that has information that constitutes an identifiable public record not exempt from disclosure pursuant to this division that is in an electronic format shall make that information available in an electronic format when requested by any person. (Gov. Code § 7922.570.)
- 4) Requires that the cost of duplication of an electronic record to be limited to the direct cost of producing a copy of a record in an electronic format. (Gov. Code § 7922.575(a).)
- 5) Provides the requester is required to bear the cost of producing a copy of the record, including the cost to construct a record and the cost of programming and computer services necessary to produce a copy of the record, when certain factors exist. (*Id.* at (b).)
- 6) Provides that a member of the public who inspects a disclosable record on the premises of a public agency has the right to use the requester's equipment on those premises, without being charged any fees or costs, to photograph or otherwise copy or reproduce the record in a manner that does not require the equipment to make physical contact with the record, unless the means of copy or reproduction would result in either of the following: damage to the record; or unauthorized access to the agency's computer systems or secured networks by using software, equipment, or any other technology capable of accessing, altering, or compromising the agency's electronic records. (Gov. Code § 7922.530(b).)
- 7) Allows a public agency to impose any reasonable limits on the use of the requester's equipment that are necessary to protect the safety of the records or to prevent the copying of records from being an unreasonable burden to the orderly function of the agency and its employees. (Gov. Code § 7922.530(c).)

- 8) Allows a public agency to impose any limit on the use of the requester's equipment that is necessary to maintain the integrity or ensure the long-term preservation of historic or high-value records. (*Ibid.*)
- 9) Authorizes trial court records to be created, maintained, and preserved in any form or forms of communication or representation, including paper, optical, electronic, magnetic, micrographic, or photographic media or other technology pursuant to the rules adopted by the Judicial Council. (Gov. Code § 68150(a).)
- 10) Provides that in the absence of a statute or rule authorizing or prohibiting a fee by the superior court for a particular service or product, the court may charge a reasonable fee not to exceed the costs of providing the service or product, if the Judicial Council approves the fee; requires the fee to be distributed to the court in which it was collected. (Gov. Code § 70631.)

This bill:

- 1) Authorizes the court, in the absence of a statute or rule explicitly authorizing or prohibiting a fee by the superior court for a particular service or product, to charge a fee not to exceed the cost to the court of providing the service or product. A fee not explicitly authorized by statute or rule must be approved by the Judicial Council.
- 2) Requires, by December 1, 2027, the Judicial Council to submit a report to the Legislature, as provided, regarding each fee currently charged by a superior court in the 2026-27 fiscal year for which the revenue collected by and distributed to the court as a result of the fee exceeds the court's cost of providing the service or product, that includes certain information.
- 3) Requires Judicial Council, by December 1, 2028, and December 1, 2029, to submit a report to the Legislature regarding fiscal years 2027-28 and 2028-29 that includes specified information specified, as provided.
- 4) Requires a member of the public requesting to view and duplicate a public court record on the premises of the court to be allowed to use the requester's equipment on those premises, without being charged any fees or costs, to photograph or otherwise copy or reproduce the record in a manner that does not require the equipment to make physical contact with the record, unless the means of copy or reproduction would result in any of the following:

- a) damage to the record;
  - b) unauthorized access to the agency's computer systems or secured networks by using software, equipment, or any other technology capable of accessing, altering, or compromising the agency's electronic records; or
  - c) the use of equipment would require the assistance of court staff to operate, or a wired electrical or wired internet connection, or would obstruct the ability of other court users or resources due to the size of the equipment.
- 5) Allows a court to impose reasonable limits on the use of the requester's equipment that are necessary to protect the safety of the records or to prevent the copying of records from being an unreasonable burden to the orderly function of the court and its employees. In addition, the court may impose any limit that is necessary to maintain the integrity of, or ensure the long-term preservation of, historic or high-value records.
- 6) Prohibits the court from subjecting a requester who seeks to use their own equipment to any more restrictions than those that apply to court users who seek to inspect court records.

## Comment

Access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state, as provided by both the California Constitution and statute. As has been repeatedly noted by the author, some courts charge the public to access court records posted online in an electronic format, which acts as an impediment to the public being able to assert their right to access public records. Additionally, excessive court costs and fees imposed upon litigants can prevent meaningful access to justice. The author believes that existing law may not adequately ensure that the amount of fees charged to civil litigants is fair, equitable, and affordable.

Even though the CPRA does not specifically apply to court records, the California Supreme Court has held that there is a common law right of access to court records in which there is a legitimate public interest, if not outweighed by strong countervailing reasons, and further noted that "the general principles regarding public access to the records of public entities established in the statutes and [applicable] case law [...] continue to apply in the context of court records."<sup>1</sup> (*Sander v. State Bar of California*, (2013) 58 Cal.4th 300, 318-323.) The court has found that the Constitutional provisions related to the people having the right of

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<sup>1</sup> See also *City of San Jose v. Superior Court*, (2017) 2 Cal.5th 608, 617; *American Civil Liberties Union Foundation of Southern California v. Superior Court*, (2017) 3 Cal.5th 1032, 1036-37.

access to information regarding the people's business and the mandate that limitation on access be narrowly construed also applies to court records. (see *Savaglio v. Wal-Mart Stores, Inc.*, (2007) 149 Cal. App. 4th 588, 597.)

Some courts in the state charge the public to access to their public court records which are posted online in an electronic format. The Judicial Council states the reason is to cover costs associated with the creation, maintenance, and management of their electronic systems that allow for public access to those electronic records. The Assembly Judiciary Committee analysis of this bill notes that:

According to the JCC, in 2021, 16 counties in the state provided online access to electronic civil case records. Ten of those 16 courts charged \$22.7 million in fees to the public who accessed court records during that two-year period. The JCC states that the reason why courts charge fees is to "cover costs associated with the creation, maintenance, and management of their electronic systems that allow for public access to those electronic records." If all 58 trial courts were able to "recover costs" at this rate, the estimated statewide total fees would add up to approximately \$32 million per year. Given that the state funds the court's computer systems and personnel expenses in the Budget process, it is difficult to understand how and why such fees are justified.<sup>2</sup>

Some courts prohibit members of the public from taking photos of records with their own equipment. As described in the Assembly Judiciary Committee Analysis of this bill, a professional journalist provided the following information about their experience at the Alameda County Superior Court:

On March 10, I went to the Alameda County Superior Court, Renee C. Davidson courthouse on Fallon Street. I inspected records on a public access terminal in the records room, where the public can access non-confidential electronic records at no cost. A sign above the clerk's window said either, "no phones", "no electronic devices," or "no cameras." I requested to make a copy of the court record of interest by taking an iphone photo of the computer screen, and was told no, it was prohibited, as the sign said. So I went through the process of asking the clerk to conduct her own search for the same record, a search warrant package that was public. She then printed it and charged me at [\$0].50 per page, per fee schedule:  
<https://www.alameda.courts.ca.gov/system/files/list-charges-records.pdf><sup>3</sup>

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<sup>2</sup> Asm. Jud. Comm. analysis of AB 1524 (2025-26 reg. sess.) as amended Mar. 18, 2025 at p. 5.

<sup>3</sup> *Id.* at p. 5-6.

The Assembly Judiciary Committee notes that they received reports from other journalists as well that indicate at least half a dozen other courts have a similar policy, and that most public agencies charge no more than \$0.10 per page for making copies.<sup>4</sup>

Existing law provides that, in the absence of a statute or rule authorizing or prohibiting a fee by the superior court for a particular service or product, the court may charge a reasonable fee, not to exceed the costs of providing the service or product, and that fee must be approved by the Judicial Council of California (Judicial Council). (Gov. Code § 70631.) The author notes that, despite these requirements, courts are charging the public fees for products and services that far exceed the amount that courts pay for them.

In light of the above, this bill seeks to do several things. First, it provides that court records maintained in electronic format must be viewable at the court, regardless of whether they are also accessible remotely, unless the law otherwise restricts access to the record. This bill requires the court to make reasonable provisions for duplicating the records at cost. In regards to court fees, this bill provides that in the absence of a statute or rule explicitly authorizing or prohibiting a fee by the superior court for a particular service or product, the court may charge a fee not to exceed the cost to the court of providing that service or product. This bill also requires Judicial Council to submit a report to the Legislature regarding each fee currently charged by a superior court in the 2026-27 fiscal year for which the revenue collected by and distributed to the court as a result of the fee exceeds the court's cost of providing the service or product.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: No

The Senate Appropriations Committee writes regarding the fiscal impact:

- Revenue loss (Trial Court Trust Fund, General Fund) of an unknown but potentially significant amount to the courts. Given the number of courts and the apparent ubiquity of these fees, and the significant declines in fine and fee revenue to the courts in recent years, the impact of lost revenue resulting from this bill may be significant and may increase the demand for General Fund backfill to the Trial Court Trust Fund.

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<sup>4</sup> *Id.* at 6.

- Workload costs (Trial Court Trust Fund, General Fund) of an unknown amount to the courts to comply with the bill's provisions regarding public access to court records, and to Judicial Council to complete the required reports.

**SUPPORT:** (Verified 8/29/25)

California LULAC State Organization  
Electronic Frontier Foundation  
First Amendment Coalition  
Freedom of the Press Foundation  
Oakland Privacy  
Orange County Press Club  
Pacific Media Workers Guild  
Public Justice  
Radio Television Digital News Association  
San Diego Pro Chapter of the Society of Professional Journalists  
Society of Professional Journalists, Greater Los Angeles Chapter  
Society of Professional Journalists, Northern California Chapter

**OPPOSITION:** (Verified 8/29/25)

None received

**ARGUMENTS IN SUPPORT:** The author writes:

In order to ensure access to justice, fees charged for court services and products, including fees for copies of court records, must be reasonable. Fees certainly should not be an opportunity for courts to profit from members of the public who need these vital services and products. AB 1524 addresses this issue in two ways. First, it authorizes the public to use their own equipment to make copies of public court records. This provision is similar to, and modeled on, a provision in the California Public Records Act that allows the public to copy public records with their own equipment on the premises of a public agency. Second, AB 1524 requires the courts to report to the Legislature information about any revenue-generating fees that they charge the public in order to ensure legislative oversight of these fees. By means of these provisions, AB 1524 will protect and promote fair and equitable access to the civil justice system.

A coalition of first amendment advocates and organizations representing the press, including the First Amendment Coalition, Oakland Privacy, the Freedom of the

Press Foundation, and the Radio Television Digital News Association, write in support stating:

[...] AB 1524 is needed to resolve inconsistent practices and policies of Superior Courts. Currently, when members of the press or public visit a court's clerk's office or a records room to exercise their right of access to nonconfidential court records, they are often forced to pay costs of \$0.50 per page for copies of records. Our staff hears of this concern from members of the press and others who use our free educational resources to learn about their right to government records.

Reporters and editors across the state have encountered courts that have formal policies or enforced practices preventing them from taking a photograph of a public court record they have inspected on premises — either on digital copy viewed at a public access computer terminal or a paper record court staff has retrieved. This often presents an untenable choice: pay high costs to the court or leave without a copy of the record — a record that may only be available at the physical premises of the courthouse, as many court California court records are not available online. Staff of the First Amendment Coalition have also experienced this when inspecting records in multiple courthouses.

For most of the public, and for many journalists who do the important work of informing the public about developments in our courts, such copying fees are in practical effect a barrier to meaningful access to court records.[...]

AB 1524 will ensure the public isn't priced out of public records and ensure journalists can do the important work of keeping Californians informed. And we are certain that through continued conversations with stakeholders, this bill properly balances the public's interest with courts' interest in being able to still regulate electronic device use consistent with security and privacy needs.[...]

ASSEMBLY FLOOR: 79-0, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca



Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta,  
Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

Prepared by: Amanda Mattson / JUD. / (916) 651-4113  
9/2/25 18:22:39

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