

CONCURRENCE IN SENATE AMENDMENTS

CSA1 Bill Id:AB 1524 Author:(Committee on Judiciary)

As Amended Ver:August 29, 2025

Majority vote

SUMMARY

Allows the public to use their own equipment to copy court records, subject to specified conditions; *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 the service or product; and requires the Judicial Council to report to the Legislature specific information about each fee charged by a superior court in specified fiscal years 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.*

Major Provisions

- 1) Requires, by *December 1, 2027*, the Judicial Council to submit a report to the Legislature, in compliance with existing laws for submission of reports to the Legislature, *the following information about each fee 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:*
 - a) The particular service or product that is provided by payment of the fee.
 - b) The amount of the fee.
 - c) *The cost to the court in the 2026–27 fiscal year for providing the particular service or product. If it is not feasible for the court to determine the exact cost, despite its good faith effort to do so, the court shall provide the cost basis on which the fee was calculated.*
 - d) *The revenue collected by and distributed to the court in the 2026–27 fiscal year as a result of the fee.*
 - e) *The number of persons who used the service or product in the 2026–27 fiscal year. If it is not feasible for the court to determine the exact number of persons who used the service or product, despite its good faith effort to do so, the court shall provide a good faith estimate of the number of persons who used the service or product in the 2026–27 fiscal year.*
- 2) Requires, by *December 1, 2028, and December 1, 2029*, the Judicial Council to submit a report to the Legislature regarding fiscal years 2027–28 and 2028–29 that includes the information specified in 1). The report shall be submitted in compliance with Government Code Section 9795.
- 3) Provides that a member of the public requesting to view and duplicate on the premises of the court a record that is accessible under this section *shall 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 either 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.
 - c) *The use of equipment that would require the assistance of court staff to operate, or a wired electrical or wired internet connection, or that would obstruct the ability of other court users to access case files, terminals, or other court resources because of the size of the equipment.*
- 7) Allows a court 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 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.
- 8) *Provides that the court shall not subject a requester who seeks to use their own equipment to copy records in compliance with this paragraph to any more restrictions than the restrictions that apply to court users who seek to inspect court records. The court also shall not impose a time limit on a requester's ability to copy records with their own equipment that differs from the time limit that would apply to the inspection of court records.*
- 9) *States that the intent of 8) is to facilitate the copying of records with a requester's own equipment and not to affect court rules that are intended to protect the safety or security of the court facility, court personnel, or court users.*
- 10) *Clarifies that 8) does not affect court rules that address either of the following:*
- a) *The use of cameras in areas or other equipment in court facilities for purposes other than to copy court records.*
 - b) *Impose time limits on a requester's ability to access case files, terminals, or other court resources by which the public is able to access court records for the purpose of making copies of the records with their own equipment, so long as the time limits also apply to requesters seeking to inspect, but not copy, court records. A time limit on a requester's use of their own equipment to prevent the copying of records from being an unreasonable burden to the orderly function of the court and its employees is reasonable when the time required for a requester to make copies of records with their own equipment would be greater than the time required for them to obtain the copies by means of court-provided resources and allowing the requester to have additional time to make copies of records with their own equipment would interfere with the ability of other requesters to access court records.*

Senate Amendments

- 1) Revise and recast fee provisions that referred to the pro rata cost of court products and services.

- 2) Revise and recast the dates of the mandatory reports to the Legislature about court fees.
- 3) Add the following exception to the requirement that members of the public be allowed to use personal equipment to make copies of records:

The use of equipment that would require the assistance of court staff to operate, or a wired electrical or wired internet connection, or that would obstruct the ability of other court users to access case files, terminals, or other court resources because of the size of the equipment.

- 4) Add a prohibition on a court subjecting a requester who seeks to use their own equipment to copy records in compliance with this paragraph to any more restrictions than the restrictions that apply to court users who seek to inspect court records. The court also shall not impose a time limit on a requester's ability to copy records with their own equipment that differs from the time limit that would apply to the inspection of court records.
- 5) State that the intent of 4) is to facilitate the copying of records with a requester's own equipment and not to affect court rules that are intended to protect the safety or security of the court facility, court personnel, or court users.
- 6) Clarify that 4) does not affect court rules that address either of the following:
 - a) The use of cameras in areas or other equipment in court facilities for purposes other than to copy court records.
 - b) Impose time limits on a requester's ability to access case files, terminals, or other court resources by which the public is able to access court records for the purpose of making copies of the records with their own equipment, so long as the time limits also apply to requesters seeking to inspect, but not copy, court records. A time limit on a requester's use of their own equipment to prevent the copying of records from being an unreasonable burden to the orderly function of the court and its employees is reasonable when the time required for a requester to make copies of records with their own equipment would be greater than the time required for them to obtain the copies by means of court-provided resources and allowing the requester to have additional time to make copies of records with their own equipment would interfere with the ability of other requesters to access court records.

COMMENTS

This bill does several things to ensure that fees charged to the public by the courts for their services and products are fair and reasonable.

Case law limits on courts charging excessive fees to civil litigants. It is a fundamental principle of our civil justice system that excessive court costs and fees imposed upon litigants prevent meaningful access to justice.

Where the suitor was allowed to prosecute *in forma pauperis*, all the rights which were open to him upon the payment of fees were open to him by virtue of the order, and every officer was required to perform his duty without the payment of fees as fully as though the legal fees had been paid. ... Therefore we will not say that a suitor who ... cannot pay court fees must be content to go to trial without a jury. The law does not say this, and we will

not read such a declaration into the law. (*Martin v. Superior Court* (1917) 176 Cal. 289, 297–298.)

Existing statutory limits on court charging excessive fees to civil litigants. 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. (Government Code Section 70631.) However, any fee is required to be approved by the Judicial Council of California (JCC). (*Ibid.*)

Notwithstanding the statutory limits and approval process in current law detailed above, it appears that the fees charged by the courts for basic services and access to justice may be excessive. Existing law authorizes the court to charge a reasonable fee that does not exceed the costs of providing the service or product, if the JCC approves the fee.

Some courts also prohibit members of the public who are seeking to obtain copies of court records from using their own equipment, such as a cell phone camera, to make copies. According to information provided to the Judiciary Committee by a professional journalist, the Alameda County Superior Court, Renee C. Davidson courthouse on Fallon Street prohibits the use of cameras to photograph records that are public. The journalist had to pay \$.50 per page for copies of search warrants, then had to return to the courthouse when she later discovered that several pages of the document had not been copied as requested, which was a waste of both her time and her money. The Judiciary Committee received reports from other journalists that at least a half dozen other courts have the same policy. It also is noteworthy that courts routinely charge \$.50 per page for each copy, while most public agencies charge no more than \$.10 per page.

While *existing law requires public agencies to allow the public to use their own equipment to copy public records, it does not apply to courts or court records because a court is not a "public agency."* (See Government Code Section 7920.525.)

This bill would allow members of the public to use their own equipment to copy court records, subject to a number of modest and reasonable exceptions, largely modeled on existing law governing records of public agencies. The bill would also require the JCC, by December 1, 2027, to report to the Legislature, specified information about each fee 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. By December 1, 2028, and December 1, 2029, the bill requires Judicial Council to submit a report to the Legislature regarding fiscal years 2027–28 and 2028–29 that includes the information specified above. The reports must be submitted to the Legislature, like any other report, study, or audit required or requested by law, in compliance with Government Code Section 9795.

According to the Author

AB 1524 prohibits courts from charging more for the services and products they provide than the amount that it costs the courts to provide those services and products. It also enacts reasonable reporting requirements to ensure legislative oversight of the fees that courts are charging to court users; and it authorizes the public to use their own equipment to make copies of court records that are accessible to the public. These provisions will help to protect and promote fair and equitable access to the civil justice system.

Arguments in Support

The First Amendment Coalition points out why the bill will help to address the negative impact that excessive copying fees have on journalists (and other members of the public):

AB 1524 is a modest but meaningful bill 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 have reported various courts have adopted formal policies or enforced practices that prevented 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. . . . 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 complete barrier to copying public court records.

Arguments in Opposition

None on file

FISCAL COMMENTS

The Senate Appropriations Committee writes regarding the fiscal impact:

- 1) 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.
- 2) 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.

VOTES:

ASM JUDICIARY: 12-0-0

YES: Kalra, Dixon, Bauer-Kahan, Bryan, Connolly, Harabedian, Macedo, Pacheco, Lee, Sanchez, Stefani, Zbur

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Ta, Tangipa

ABS, ABST OR NV: Sanchez

ASSEMBLY FLOOR: 79-0-0

YES: 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

UPDATED

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