

1 Robert A. Naeve (State Bar No. 106095)
2 rnaeve@jonesday.com
3 Erica L. Reilley (State Bar No. 211615)
4 elreilley@jonesday.com
5 JONES DAY
6 3161 Michelson Drive, Suite 800
7 Irvine, CA 92612
8 Telephone: (949) 851-3939
9 Facsimile: (949) 553-7539

7 Attorneys for Defendant
8 MICHAEL PLANET, IN HIS OFFICIAL
9 CAPACITY AS COURT EXECUTIVE
10 OFFICER/CLERK OF THE VENTURA
11 COUNTY SUPERIOR COURT

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA

14 COURTHOUSE NEWS SERVICE,
15 Plaintiff,
16 v.
17 MICHAEL PLANET, IN HIS
18 OFFICIAL CAPACITY AS COURT
19 EXECUTIVE OFFICER/CLERK OF
20 THE VENTURA COUNTY
21 SUPERIOR COURT,
22 Defendant.

Case No. CV11-08083 R (MANx)

Assigned for all purposes to
Hon. Manuel L. Real

**DECLARATION OF CHERYL
KANATZAR IN SUPPORT OF
DEFENDANT'S OPPOSITION
TO PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

Date: November 21, 2011
Time: 10:00 a.m.
Courtroom: 8

22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I, CHERYL KANATZAR, declare and state as follows:

1. I am employed as a Deputy Executive Officer of the Superior Court of California, County of Ventura (“Ventura Superior Court” or “Superior Court”). I am responsible for the overall administrative operations of the Superior Court in the areas of court processing and courtroom operations. As is relevant to this lawsuit, “court processing” includes processing of, and access to, all filings with the Ventura Superior Court, including those filings at the Hall of Justice facility, the Court’s primary location. In addition, I was responsible for overseeing the management of all of the Court Processing Assistants (“CPAs”) who work in the Civil Department of the Superior Court’s Clerk’s Office, including the CPAs who are assigned to work the public filing windows, the new filings desks, and the Records and Exhibits Departments. I have personal knowledge of the facts stated in this Declaration, and I could and would competently and truthfully testify to these facts if called upon to do so.

2. It is my understanding that Courthouse News Service (“CNS”) claims in this action that Ventura Superior Court can and should provide “same-day access” to newly filed civil unlimited complaints. I provide this declaration to explain why it is not possible for the Superior Court to provide same-day access.

A. Civil Clerk’s Office Staffing And Caseload Generally.

3. By way of background, Ventura Superior Court’s Civil Department operates out of two locations, its Hall of Justice Center in Ventura, and its Simi Valley location. CNS has not insisted on a right of same-day access to newly filed complaints filed with our Simi Valley court; this declaration will deal only with the filings at the Hall of Justice facility.

4. Ventura Superior Court does *not* maintain filings in electronic format, and does *not* require litigants to submit motions, orders and other filings through an

1 online filing system like the federal courts' Pacer system. Instead, Ventura
2 Superior Court maintains only standard physical files for all actions pending in the
3 County of Ventura. Litigants must physically file paper copies of their documents.
4 They can do so either by depositing them with CPAs in our Civil Department as
5 described elsewhere in this Declaration, or by faxing or emailing their documents to
6 the Civil Department, where a CPA must then generate paper documents for our
7 files. Therefore, unlike the clerk's office in federal and other electronic filing
8 courts, the clerk's office in the Ventura Superior Court *is* burdened by the
9 substantial additional administrative task imposed by the need to process by hand
10 every document filed with the court.

11 5. According to our Court Case Management System ("CCMS"), which
12 maintains our docket of court filings as well as our court calendars, the CPAs in the
13 civil clerk's office are responsible for receiving, filing and processing in excess of
14 151,000 separate filings each year:

| | |
|--------------------|---------|
| 2008 Civil Filings | 144,184 |
| 2009 Civil Filings | 151,281 |
| 2010 Civil Filings | 151,203 |

15
16
17
18
19
20 6. The Superior Court currently employs 14 CPAs in the Civil
21 Department, plus one Civil Department supervisor, to handle all of these filings.
22 Each of the CPAs is responsible for a particular function or "desk" in the Civil
23 Department, including the answers and motions, arbitration, fax filings, judgments,
24 mandatory early settlement conference assignments, motions, new filings and
25 orders, as well as public filing windows 7, 8, 9, 10 and 11.

26 7. The workload carried by each of our CPAs is very heavy. By way of
27 example only, Jessica Brown is the CPA III currently responsible for our
28

1 Mandatory Early Settlement Conference Desk. Despite what the name might
2 imply, Ms. Brown is responsible for a very high volume of filings that must be
3 processed on a daily basis. During a typical day, she is responsible for reviewing
4 and scheduling appropriate case management hearings for approximately 4 to 5
5 amended complaints, 7 to 8 notices of settlement and 3 to 4 amendments to
6 complaints. In addition, she is responsible for receiving, processing and inputting
7 into CCMS 4 to 5 substitution of attorney / notice of change of address forms per
8 day. Ms. Brown is also responsible for reviewing and scheduling for hearing
9 petitions for *de novo* review of wage and hour decisions by the California Division
10 of Labor Standards Enforcement; for processing Notices of Removal to federal
11 court; for making settlement officer assignments; and for scheduling settlement
12 hearings before the settlement officer. She also reviews and schedules in CCMS
13 follow-up calendars for cases transferred to Ventura Superior Court from other
14 courts as well as case consolidations ordered by judges of the Superior Court. She
15 also reviews files in which a proof of service of a new complaint, or status
16 conference reports, or post-settlement dismissals have not been timely filed, and
17 schedules OSC hearings in cases in which the appropriate documents have not been
18 filed by the parties. In addition to these tasks, she is responsible for mailing from
19 60 to 70 notices and other forms to be served on litigants; for working at one of the
20 public filing windows for several hours each day; and for answering telephones for
21 at least an hour per day.

22 8. The workloads of the remaining CPAs in the Civil Department are
23 equally heavy, and will likely increase in the coming year. As explained in the
24 Notice of Change in Processing of Civil Filings attached to this Declaration as
25 Exhibit “A,” effective October 11, 2011, CPAs in our Hall of Justice facility in
26 Ventura assumed responsibility for processing “case initiating papers, including
27 complaints” for cases filed in our East County courthouse located in Simi Valley:
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



Superior Court of California
County of Ventura

**NOTICE OF CHANGE IN PROCESSING
OF CIVIL FILINGS**

Effective October 11, 2011

Effective October 11, 2011, case initiating papers, including complaints, applications and petitions, applications for renewals of judgment, and clerk and court default judgment packets (except for requests for entry of default) will be processed in the Ventura clerk's office, only.

For efficiency and timeliness of processing, the Court encourages to the extent possible that all the above listed documents be dropped in the Ventura Court location. (All named documents dropped in the East County must be transported by the Court to Ventura for filing.) Documents relating to Unlawful Detainers will be excluded.

Documents may be dropped off at the civil filing counters, or at window 14, in room 210 of the Hall of Justice during regular business hours.

A drop box is located directly outside of the clerks' office, and documents placed in the box by 5:00 pm will be deemed deposited for filing that same business day.

9. We transferred responsibilities for new case filings to the Hall of Justice facility because reduced staffing at the Simi Valley Courthouse made it difficult to process work in a timely manner.

10. It is possible that further changes to CPA job responsibilities will be implemented in 2012. As explained in the Public Notice of Request for Public Input attached to this Declaration as Exhibit "B," the Superior Court is now considering whether to relocate the civil courtrooms located in Simi Valley to the Hall of Justice facility in Ventura:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PUBLIC NOTICE OF REQUEST FOR PUBLIC INPUT
(California Rules of Court, rule 10.620)

Superior Court of California, County of Ventura

**RESPONDING TO REDUCTION IN WORKFORCE CAUSED BY THE FISCAL CRISIS
THE VENTURA SUPERIOR COURT IS CONSIDERING REASSIGNING
THE EAST COUNTY CIVIL LAW JUDGES AND CLERK'S OPERATIONS
TO THE HALL OF JUSTICE**

The Ventura Superior Court is considering reassigning its two East County Civil Law Judges (Courtrooms S3 and S5) and all related civil clerk's office operations at that location, except unlawful detainees, to its main courthouse located at the Hall of Justice, 800 South Victoria Avenue, Ventura, California in late January, early February 2012. The proposed changes are due to the significant reduction in funding for the California court system. The Ventura Superior Court is facing a \$5.8 million dollar deficit for fiscal year beginning July 2011, which is projected to increase to \$9.3 million for fiscal year beginning July 2012.

If this relocation takes effect, it will increase the workload of our Civil Department CPAs.

11. The workload carried by our CPAs has been made even heavier as the result of budgetary shortfalls experienced by the State of California generally and the Ventura Superior Court in particular. These budgetary shortfalls have resulted in mandatory furlough days for our CPAs, as well as a hiring freeze, which effectively prevents us from hiring new CPAs in the clerk's office when existing CPAs retire or quit. As of the end of September 2011, Ventura Superior Court had no fewer than 42 vacancies for full-time staff positions. 22 of these vacancies arise in my areas of responsibility; four occurred within the civil processing Civil Department and another four occurred in the Records Department.

12. This reduction in staffing levels necessitated a number of changes in the business operations of the clerk's office. First, we reduced the public business hours for the clerk's office effective July 1, 2009. As can be seen from this excerpt from the July 1, 2009 memorandum issued to all staff in the clerk's office, which I approved, the public and telephone hours were reduced so that the doors to the clerk's office would be closed at 4:00 p.m., rather than 5:00 p.m.:

Declaration of Cheryl Kanatzar ISO
Deft's Opp. to Plf's Mot. for Prelim. Inj.
Case No. CV 11-08083 R (MANx)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUPERIOR COURT OF CALIFORNIA ♦ COUNTY OF VENTURA

INTEROFFICE MEMORANDUM

July 1, 2009

To: **Civil/Small Claims/Appeals Staff**

From: *JMC* **Julie Camacho, Court Program Manager**

Subject: **Revised Court Closing Time of 4:00 p.m.**

As you are all aware, the Ventura Superior Court processing units hours of service to the public and telephone hours have been revised effective Wednesday, July 1, 2009.

The doors to the public lobby will be closed at 4:00 p.m.

Telephone calls from the public and outside agencies (i.e., Court of Appeal, District Attorney's Office, etc.) will not be accepted from 11:30 a.m. to 1:30 p.m., and 4:00 p.m. to 5:00 p.m. Telephone calls from other court departments and courtroom staff will continue to be accepted.

A locked court drop box has been placed in the hallway outside the lobby doors. Documents placed in the drop box before 5:00 p.m. will be receive stamped by court staff when they are removed from the box. When the documents are processed, they will receive a filing date the same as the date they were received.

A complete copy of this July 1, 2009 memorandum is attached to this Declaration as Exhibit "C."

13. To accommodate the change in office hours with the need to accept filings before 5:00 p.m., the Ventura Superior Court installed a secure drop box near the clerk's office on the second floor of the Hall of Justice facility. Civil and family law filings can be deposited in the drop box for same-day filing at any time prior to 5:00 p.m. Staff from the Family Law Department or the Civil Department retrieve documents from the drop box twice each day, at 4:30 p.m. and 5:00 p.m. Documents retrieved from the drop box are date-stamped "Received" on the back of the first page, and are then distributed to the appropriate back office CPA for processing. Dropped documents, including new complaints, are deemed filed on

1 the day they are stamped received. If the documents are processed the next day, our
2 CPAs are instructed to back-date the file stamp to properly reflect the date upon
3 which the document is deemed filed.

4 14. To further accommodate reduced staffing levels in the clerk's office,
5 the Ventura Superior Court changed the procedure by which new complaints are
6 accepted for filing. The Civil Department receives approximately 8 civil unlimited
7 complaints, along with literally hundreds of other documents, including answers,
8 motions and notices of various types, on a daily basis. Prior to June 2010, most of
9 these complaints were received by CPAs at the public filing windows, who were
10 responsible for fully opening new files and for issuing summons and related
11 documents upon receipt. However, the practice of creating new files upon receipt
12 of complaints at the filing window became increasingly unworkable because of the
13 small number of open clerk windows; the increasing line of customers waiting for
14 those windows; the advent of the CCMS filing system, which requires our CPAs to
15 enter considerably more information regarding a new complaint before a file
16 number can be generated; the reduction in the number of CPAs available to staff the
17 public filing windows; and the reduction of hours the clerk's office could remain
18 open in light of current budget constraints.

19 15. Accordingly, Ventura Superior Court implemented a change to its
20 filing system effective June 21, 2010. As explained in the following excerpt from
21 our May 19, 2010 Notice of Counter Filing Changes, which I approved, most new
22 complaints could only be "dropped off" at the public filing windows, so that they
23 could be processed by back-counter CPAs:
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



Superior Court of California

COUNTY OF VENTURA
Hall of Justice
800 South Victoria Avenue
Ventura, CA 93009

May 19, 2010

NOTICE OF COUNTER FILING CHANGES

Effective June 21, 2010, the Ventura Superior Court of California, County of Ventura, will implement a change to the documents permitted to be filed at the front office filing counters.

The following documents will be required to be dropped off for back office processing:

CIVIL (All documents relating to Unlawful Detainer cases are excluded from this change.)

1. Case initiating papers including Complaints, Petitions and Applications
2. Applications for and Renewals of Judgment
3. Clerk and court default judgment packets, **except** Requests for Entry of Default

Note: The documents listed above can be dropped at the civil filing counters in Ventura and East County, or at Window 14 in Ventura.

A complete copy of our May 19, 2010 notice is attached to this Declaration as Exhibit "D."

16. Under this change in procedure, new complaints are date-stamped "Received" at the public filing window, and given to a behind-the-counter new filings desk CPA, who is responsible for opening a new file, issuing a case number, and providing conformed copies to counsel. As is the case with documents retrieved from the drop box, new complaints received at the public filing window are deemed filed on the date they are stamped received. If they are received late in the day and processed at a later time, the new filings desk CPA is instructed to back-date the file stamp to properly reflect the date upon which the document is deemed filed.

17. This change in procedure allowed the clerk's office to prioritize work

1 based on the needs of our public customers and bench officers. From the Superior
2 Court's standpoint, most new complaint files remain essentially inactive for
3 approximately 65 days, until the summons and complaint are served, and the
4 defendant(s) answers or take some other action. Hence, receiving "dropped"
5 complaints at the public filing window for later processing the same day, allows our
6 limited staff to deal with other customers waiting in line at the civil filing windows,
7 and to deal with other pressing issues, including *ex parte* applications, and other
8 time sensitive matters.

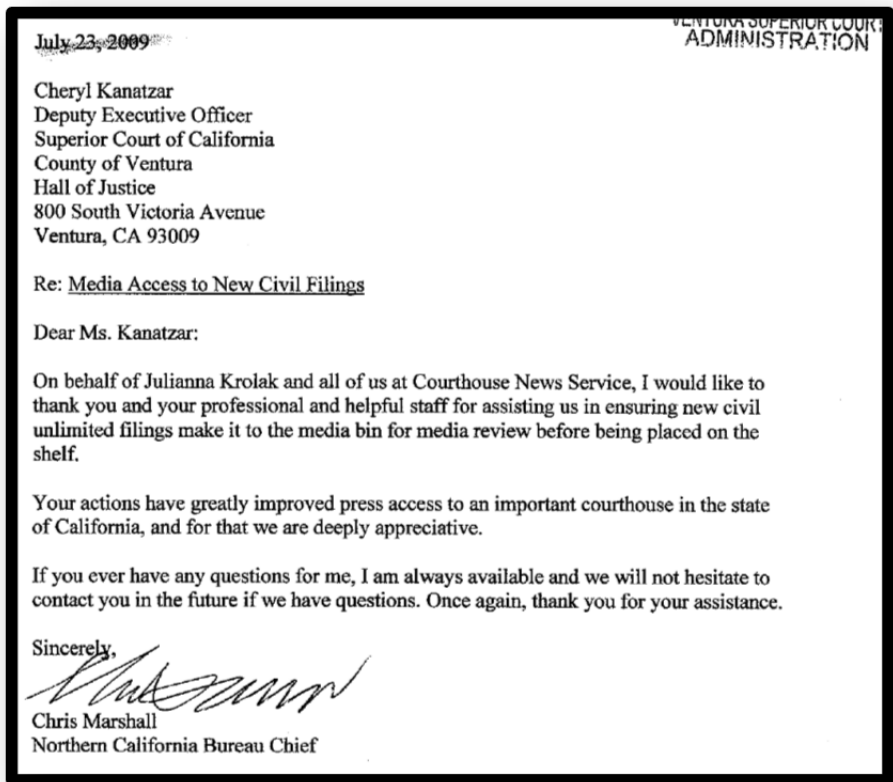
9
10 **B. CNS's Demand For "Same-Day Access."**

11 18. As a practical matter, CNS's reporter is the only "reporter" who asks
12 to see our new case files. The Superior Court only infrequently receives requests
13 from other reporters for access to case files or new complaints. As is the case with
14 CNS, we grant other reporters the same access we provide to members of the
15 general public.

16 19. It is my understanding that, prior to November 2010, CNS's reporter,
17 Juliana Krolak, only visited our clerk's office on roughly a weekly basis. In the
18 2008 – 2009 time period, Ms. Krolak occasionally complained that she could not
19 locate particular case files that should have been placed in the Media Bin in our
20 Records Department. We worked with Ms. Krolak and her supervisor, Chris
21 Marshall, to determine why some files were not being deposited in the Media Bin,
22 and took steps to ensure that new files were first placed in our Media Bin where
23 they would remain for approximately one week before being placed in our shelves
24 for filing.

25 20. On or about July 23, 2009, I received the following letter from Mr.
26 Marshall which confirmed our efforts to route new complaints to the Media Bin:
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



A complete copy of this letter is attached to this Declaration as Exhibit "E."

21. It is my understanding that CNS alleges in its complaint that the Superior Court somehow agreed to an "arrangement" by which "newly filed complaints were to be made available to Courthouse News' reporter after some processing but before the complaints had been fully processed, the result of which was that access became much more timely." This allegation is not correct. As noted above, Ventura Superior Court took steps to ensure that fully processed complaints were timely deposited in the Records Department Media Bin. For reasons that will be detailed below, it has never been our practice to grant access to "partially processed" complaints.

22. I received another letter from Mr. Marshall more than a year later on February 7, 2011. Mr. Marshall notified me for the first time in this letter that Ms. Krolak had been visiting the Superior Court's Records Department on a daily basis

1 since November 2010; that CNS hoped that she could review newly filed
2 complaints on the on the same day they were filed; but that Ms. Krolak had
3 experienced delays:
4

5 Until a few months ago Ms. Krolak had been visiting the main division of the Ventura
6 Superior Court on a twice-a-week basis to review new civil unlimited complaints
7 (Courthouse News does not cover criminal or family actions, nor does it review limited
8 civil actions). In recognition of the increasing importance of Ventura County as a source
9 of newsworthy litigation, Ms. Krolak began visiting the Court on a daily basis in
10 November, with each of her visits occurring near the end of each court day.

11 Given these now-daily visits, Courthouse News hoped that it would be able to review and
12 report on new civil complaints at the end of the same day on which those complaints are
13 filed. This same-day access is provided to news reporters who make daily visits to other
14 major superior courts, including the California Superior Courts in Los Angeles,
15 Riverside, San Francisco, and Santa Clara, as well as other major courts across the nation.
16 A survey that further describes the same-day access that news reporters have in other
17 courts is enclosed for your review.

18 Unfortunately, access to new civil complaints at the Ventura County Superior Court is
19 nowhere near same-day. In a recent one-week survey of unlimited jurisdiction cases
20 covered by Courthouse News, Ms. Krolak saw only one case on the day it was filed.
21 Of the remaining cases, a majority was three days to one week old and a large minority
22 was one to two weeks old.

23 A copy of Mr. Marshall's February 7, 2011 letter without exhibits is attached to this
24 Declaration as Exhibit "F."

25 23. I discussed Mr. Marshall's letter with Julie Camacho, the Court
26 Program Manager responsible for CPAs working in the Department. In response,
27 we issued the following February 17, 2011 email which directs Civil Department
28 CPAs to make every effort to complete their filings and get them to the Records
Department Media Bin in a timely fashion:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

From: Martha McLaughlin
To: Civil Staff
Date: 2/17/2011 4:22 PM
Subject: New Filings - Routing to Records (including media bin) FORTHWITH

STAFF:
Concerns have been raised with respect to the delay in time of new filings being sent to court records (to include the media bin). Everyone is being asked to please make every effort to complete your entire new filing (s) on the same day filed. Please assemble and distribute to either the cart or the media bin box timely. We understand you may need a day or so more if you encounter a new filing that has multiple parties for entry. However, short of that, it is **imperative** that the files move on their way daily. This not only ensures proper location, but it helps to eliminate mix-up in placing of labels on documents, missing files, etc. Thank you for your prompt cooperation, please make good use of 4:00-5:00 p.m. time for this activity. Please see me if you have any questions or concerns.

A complete copy of the February 17, 2011 email is attached to this Declaration as Exhibit “G.”

24. I spoke with Mr. Marshall by telephone sometime in March 2011 about his February 7, 2011 letter. He explained that Ms. Krolak now visited the Records Department every day, and said that she needed “same-day access.” He explained that CNS had obtained same-day access from other courts in California, as demonstrated by the attachment to his letter. He also said that he just needed access to electronic copies of new complaints, and that, in other courts, CNS “reporters” could go to a computer terminal and review new complaints on line.

25. In response, I explained to Mr. Marshall that Ventura Superior Court was *not* an electronic filing court like most of the courts identified in his letter; that we did *not* image Superior Court filings; that we did *not* accept any type of e-filings; that our filing system was *not* automated as is the case with the federal court Pacer system; and that we still manually enter each document into physical files. Mr. Marshall nonetheless insisted that Ms. Krolak be given access to new complaints the same day as they were filed.

26. After speaking with the Superior Court’s staff, including Ms. Camacho, I spoke to Mr. Marshall again by telephone several days later. I told him

1 that we would do what we could to get newly filed complaints to the Media Bin as
2 fast as possible; that, if we are able to process new complaints early in the day, we
3 would put them in the Media Bin on the same day; but that we would otherwise do
4 our best to process new complaints and deposit them in the Media Bin on the day
5 after they had been filed. Mr. Marshall said that he and his attorneys would not be
6 happy with this response.

7 27. As a result of these communications with Mr. Marshall, I worked with
8 Julie Camacho to reprioritize the procedures by which newly filed complaints are
9 processed and made available to the public in the Superior Court's Media Bin,
10 which is located in our Records Department. As explained in the following excerpt
11 from Ms. Camacho's March 15, 2011 email to Maria Ochoa, the CPA then assigned
12 to the new filings desk, we asked Maria to give "the highest priority" to processing
13 new civil unlimited complaints, so that there could be a two-day turnaround
14 between the date a new complaint is filed, and the date the newly filed complaint
15 would be deposited in the Media Bin for public review:
16

17 **From:** Julie Camacho
18 **To:** Maria Ochoa; Martha McLaughlin
19 **Date:** 3/15/2011 8:26 AM
20 **Subject:** Re-Prioritizing of New Filings Desk
21 **CC:** Denise Lugo; Mari Soto; Vicki Knight

22 Maria -

23 I just want to confirm in writing for everyone the decisions that we made last week regarding re-prioritizing the
24 limited and unlimited new complaints.

25 To save staff from having to photocopy the backlog of Unlimited jurisdiction new complaints for the media bin,
26 these filings will now be the highest priority complaints to be filed. We receive on average 6 per day. Maria has
27 started separated the "other" new complaints by limited and unlimited jurisdiction and labeling them as such.

28 Maria will work on these filings as the first and highest priority item on her desk (along with any Unlawful
29 Detainer filings she may get) and immediately route them to the Media bin in Records. We have promised a
30 maximum 2 day turn around to the media. Unlimited cases includes any petitions where the procedure states to
31 forward the file to the Media Bin.

32 This also means that if Maria is out of the office, her work will need to be prioritized and the Unlimited new
33 filings will need to be assigned to another clerk each day.

34 If there are any issues that arise with this procedure, please let me know. This is a trial period to make sure
35 that this procedure works.

36 Thank you,
37 Julie

1 A complete copy of our March 15, 2011 email is attached to this Declaration as
2 Exhibit “H.”

3 28. While we cannot guarantee a two-day turnaround to the Media Bin in
4 all cases for the reasons explained below, Ms. Camacho’s March 15, 2011 email
5 confirms our current practice with respect to filing of, and access to, newly filed
6 civil unlimited complaints.

7
8 **C. It Is Not Possible For Ventura Superior Court To Provide “Same-
Day Access” To Newly Filed Civil Unlimited Complaints.**

9
10 29. Since at least March 2011, Ventura Superior Court has given “the
11 highest priority” to filing civil unlimited complaints so that they can be forwarded
12 to the Media Bin in the Records Department for public review. Indeed, in
13 approximately August of this year, we obtained an exception from the courtwide
14 hiring freeze in order to hire a new CPA in the Civil Department, and we then
15 assigned a *second* CPA to the new filings desk. The “first priority” of this second
16 CPA is to identify and process newly filed civil unlimited complaints.

17 30. It is my understanding that CNS remains unsatisfied with the speed by
18 which newly filed civil unlimited complaints are processed and routed to the Media
19 Bin in the Records Department for review. However, from my perspective as
20 Deputy Executive Officer of the Superior Court, it is not possible to guarantee
21 “same-day access” to newly filed civil unlimited complaints for at least the
22 following reasons.

23 31. First, it is important to note that newly filed civil unlimited complaints
24 can be “dropped” with the Superior Court for filing in a number of different ways.
25 For example, newly filed complaints can be dropped for filing: (a) with a CPA at
26 the public filing windows in the clerk’s office, as described above; (b) in the after
27 hours drop box described above, which is only accessed at 4:30 and 5:00 p.m. each
28 day; (c) by messenger services that deliver a number of filings for a number of

1 cases in bulk to unattended Window 14, usually in the afternoon; (d) by mail, which
2 is delivered to the new filings desk twice daily; and (e) via “fax filing” and “email
3 filing,” by which new complaints are received electronically, and are thereafter
4 printed and processed by the assigned CPA. In addition, civil unlimited complaints
5 that are dropped for filing at the Simi Valley Courthouse are retrieved and delivered
6 to the new filings desk once a day by a Superior Court courier. As explained
7 above, new civil unlimited complaints that are “dropped” in any of these locations
8 are marked “received” on the date they are delivered. However, delivery of these
9 complaints to the new filings desk can be delayed by a day or more (in the event of
10 an intervening weekend) if they are “dropped” late in the day, or not delivered to
11 the new filings desk until later that day or early the next morning. The Superior
12 Court has no control over the timing by which new complaints are “dropped” for
13 filing, and cannot guarantee same-day access to these complaints for that reason.

14 32. Second, furloughs and court closures necessitated by our budgetary
15 shortfalls also preclude the Ventura Superior Court from guaranteeing “same-day
16 access” to newly filed civil unlimited complaints. As explained in the Superior
17 Court’s September 22, 2011 press release attached to this Declaration as Exhibit
18 “I,” the Superior Court’s Clerk’s Office will be closed to the public on “November
19 23, 2011, December 23, 27, 28, 29 and 30, 2011 to mitigate the impact of additional
20 unpaid employee furlough days on court operations.” However, newly filed
21 complaints can still be deposited in the Superior Court’s drop box, and as explained
22 elsewhere in this Declaration, they will be deemed filed as of the date they are
23 stamped “received.” However, it will not be possible to grant “same-day access” to
24 these newly filed complaints when the Superior Court’s Clerk’s Office is closed.

25 33. Second, it is not possible to guarantee “same-day access” to
26 complaints that are immediately assigned to judicial officers. This category
27 includes cases in which plaintiffs simultaneously file complaints and *ex parte*
28

1 applications for temporary restraining orders; complaints for which plaintiffs seek
2 fee waivers which must be approved by a judicial officer before the complaint can
3 be accepted for processing; and complaints filed on behalf of minors by guardians
4 ad litem, who must be appointed as guardians by a judicial officer before the
5 complaint can be accepted for processing. Newly filed civil unlimited complaints
6 that are immediately assigned to judicial officers may remain in chambers for
7 anywhere from one to several days or longer depending on whether the assigned
8 judicial officer needs to retain the file for further action. The Superior Court is not
9 in a position to guarantee same-day access to these files for this reason.

10 34. Third, it is not possible to guarantee “same-day access” to newly filed
11 civil unlimited complaints that are processed by newly appointed CPAs. One of the
12 Superior Court’s highest responsibilities is to ensure and promote public trust and
13 confidence in the Court and its filings. The Superior Court cannot satisfy this
14 responsibility unless it ensures that its files are in good order, and are complete and
15 accurate. Hence, complaints that are processed by newly appointed CPAs are
16 subject to a quality control review in which new files are routed to Ms. Martha
17 McLaughlin, Court Program Supervisor II in charge of the Civil Department, who
18 is responsible for supervising Civil CPAs. It is not uncommon for new CPAs
19 improperly to process incomplete complaints that should be rejected; to improperly
20 enter crucial case data that would impair CCMS from properly tracking and
21 assigning the case; and to improperly enter contact information for attorneys.
22 These complaints are not ready for review, by the press or other members of the
23 general public. Instead, Ms. McLaughlin refers the complaint and its file back to
24 the newly hired CPA who must correct and resubmit the file for final review and
25 approval. Newly filed civil unlimited complaints are placed in the Media Bin in the
26 Records Department by Ms. McLaughlin only after they have been corrected and
27 approved. Once the file is approved, Ms. McLaughlin walks it to the Media Bin;
28

1 the new filings CPA then deals with conformed copies. This quality control
2 process could take from one to several days. The Superior Court is not in a position
3 to guarantee same-day access to complaints processed by newly appointed CPAs
4 for this reason.

5 **D. It Is Not Possible To Allow CNS Reporters “Behind The Counter”**
6 **To Review Newly Filed Complaints Before They Are Processed.**

7
8 35. It has been suggested that we could ensure more timely access to
9 newly filed civil unlimited complaints by allowing Ms. Krolak to go “behind the
10 counter” in the Civil Department and to review dropped complaints that have not
11 been processed, filed and approved for public viewing. This suggestion is not
12 workable for a number of reasons.

13 36. First, the Superior Court’s security procedures were tightened
14 considerably after the occurrence of a shooting incident involving an Employment
15 Development Department employee in Oxnard. The Superior Court’s current
16 policies prohibit members of the general public from accessing processing desks
17 where new civil unlimited complaints are maintained prior to processing.

18 37. Second, the Superior Court cannot allow CNS or other members of the
19 public to review new civil unlimited complaints until they are filed to ensure that
20 the Court respects the privacy of litigants. For example, litigants who file fee
21 waiver requests must include personal financial information with their fee waiver
22 requests. These requests are kept with the complaints they accompany until after
23 they are assigned to a judicial officer and processed by a CPA. It would be
24 inappropriate to grant access to these confidential records.

25 38. Allowing members of the public access to new complaints before they
26 are filed also violates the Superior Court’s accounting protocols. New complaints
27 cannot be processed or filed until the plaintiff or plaintiffs have paid the proper
28 filing fee. Filing fees usually are paid by check, which are attached to a new

1 complaint until it is processed. The Superior Court requires CPAs to balance out
2 each day and has established strict cash handling and audit procedures to ensure
3 that moneys deposited with the Superior Court are secure. It is inconsistent with
4 these protocols and procedures to allow public access to those areas of the clerk's
5 office, including the new filings desk, where filing fees are maintained.

6 39. Quality control concerns also counsel against allowing the general
7 public to review new complaints before they are filed. As noted above, one of the
8 Superior Court's highest responsibilities is to ensure and promote public trust and
9 confidence in the Court and its filings. The Superior Court does not satisfy this
10 responsibility by allowing access to new complaints that may be rejected for filing,
11 or that are in some way incomplete.

12 40. Finally, but perhaps more importantly, it is my understanding that the
13 Superior Court's current practice of granting access to civil unlimited complaints
14 after they have been processed and filed complies with California law. In
15 particular, it is my understanding that the Superior Court's practice of granting
16 access to newly filed civil unlimited complaints once they are processed and placed
17 in the Records Department Media Bin complies with California Government Code
18 section 68150, which grants a right of "reasonable access" to "court records,"
19 which is defined by Government Code section 68151 to include, "[a]ll filed papers
20 and documents in the case folder, but if no case folder is created by the court, all
21 filed papers and documents that would have been in the case folder if one had been
22 created."

23 41. Similarly, it is my understanding that the Ventura Superior Court's
24 practice is consistent with the provisions of California Rule of Court 2.400(a),
25 which provides that, "[o]nly the clerk may remove and replace records in the
26 court's files," and that, "[u]nless otherwise provided by these rules or ordered by
27 the court, court records may only be inspected by the public in the office of the
28

1 clerk.”

2 **E. Summary.**

3
4 42. The Ventura Superior Court has *not* enacted a blanket policy against
5 granting same-day access to newly filed civil unlimited complaints. To the
6 contrary, the Superior Court recognizes the role the First Amendment plays in our
7 society, and does not and will not deny access to documents maintained in its
8 public files.

9 43. In addition, the Superior Court has granted, and will continue to grant
10 “reasonable access” to its public files, including newly filed civil unlimited
11 complaints, to all members of the public, including the press. It is for these reasons
12 that we have made it our “highest priority” to process and file civil unlimited
13 complaints so that they can be forwarded to the Media Bin in the Records
14 Department for public review. However, given current staffing and financial
15 constraints, it is not possible or practical for the Superior Court to *guarantee* “same-
16 day access” to newly filed civil unlimited complaints as CNS demands.

17 44. In this regard, I wholeheartedly agree with the statements of the
18 California Judicial Council when it explained its opposition to CNS’s proposed
19 “same-day access” legislation as follows:

20 Many courts are unable to meet the same day standard because they must
21 complete basic case processing tasks before they release the records to the
22 public in order to ensure that they do not release confidential information,
23 that the filing is valid (e.g. it is accompanied by the appropriate filing fee and
24 is directed to the proper court), and to have sufficient information such that
25 the court can protect the accuracy and integrity of the record prior to its
26 release. These tasks are important functions of the court in its role as
27 custodian of these records, and the speed with which access is provided must
28 be reasonably balanced with these responsibilities. . . . On any given day the
volume of filings may be such that courts cannot satisfy both requirements -
if they perform the required screening, they will not be able to release records
on the day that they are received.

1 Sponsors have suggested that courts can simply collect newly-filed records in
2 a box while they await processing and provide access to those files on that
3 basis. The courts, however, note that it is not appropriate to subject those
4 records to unsupervised review before the court has entered sufficient
5 information to protect the accuracy and integrity of the record. The only way
6 for courts to comply with this standard would appear to be to require that all
7 parties submit two copies of any document filed with the court. Yet, even this
8 mandate, which would be unduly burdensome for litigants and thereby
9 diminish access to justice, would impose significant workload burdens for
10 courts to manage this flow of paper and sort those filings that are confidential
11 from those that are not.

12 It is also critical to note that many court filings are not readily available for
13 public access on the same day they are filed because the court needs to act
14 upon them in a timely manner. Requests for temporary restraining orders for
15 domestic violence, elder abuse, and civil harassment must be acted upon by
16 the court on the day that they are filed unless they are filed too late in the day
17 for the court to act upon them. Taking action on these matters before they
18 become publicly available is an appropriate course of action, and best serves
19 the interest of the underlying statutes that seek to provide immediate
20 protection to those who need it. Criminal filings for in-custody defendants
21 must lead to a timely arraignment of those defendants, and the court needs
22 the filing in order to process the case and complete the arraignment. Courts
23 need the flexibility to prioritize these critical functions and to provide access
24 to the records within a reasonable time frame.

25 I declare under penalty of perjury under the laws of the United States of
26 America that the foregoing is true and correct.

27 Executed this 31st day of October 2011 at Ventura, California.

28 
Cheryl Kanatzar

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT “A”



Superior Court of California
County of Ventura

**NOTICE OF CHANGE IN PROCESSING
OF CIVIL FILINGS**

Effective October 11, 2011

Effective October 11, 2011, case initiating papers, including complaints, applications and petitions, applications for renewals of judgment, and clerk and court default judgment packets (except for requests for entry of default) will be processed in the Ventura clerk's office, only.

For efficiency and timeliness of processing, the Court encourages to the extent possible that all the above listed documents be dropped in the Ventura Court location. (All named documents dropped in the East County must be transported by the Court to Ventura for filing.) Documents relating to Unlawful Detainers will be excluded.

Documents may be dropped off at the civil filing counters, or at window 14, in room 210 of the Hall of Justice during regular business hours.

A drop box is located directly outside of the clerks' office, and documents placed in the box by 5:00 pm will be deemed deposited for filing that same business day.

We appreciate your cooperation in implementing this change, and thank you in advance.

Contact: Julie Camacho (Ventura) 805.654.2247
or
Keri Griffith (East County) 805.582.8076

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT “B”

PUBLIC NOTICE OF REQUEST FOR PUBLIC INPUT

(California Rules of Court, rule 10.620)

Superior Court of California, County of Ventura

RESPONDING TO REDUCTION IN WORKFORCE CAUSED BY THE FISCAL CRISIS THE VENTURA SUPERIOR COURT IS CONSIDERING REASSIGNING THE EAST COUNTY CIVIL LAW JUDGES AND CLERK'S OPERATIONS TO THE HALL OF JUSTICE

The Ventura Superior Court is considering reassigning its two East County Civil Law Judges (Courtrooms S3 and S5) and all related civil clerk's office operations at that location, except unlawful detainers, to its main courthouse located at the Hall of Justice, 800 South Victoria Avenue, Ventura, California in late January, early February 2012. The proposed changes are due to the significant reduction in funding for the California court system. The Ventura Superior Court is facing a \$5.8 million dollar deficit for fiscal year beginning July 2011, which is projected to increase to \$9.3 million for fiscal year beginning July 2012.

Court employees currently working at the East County Courthouse civil clerk's office are responsible for processing all civil, family and small claims matters filed at that location. Due to hiring freezes, mandatory furloughs and layoffs, staffing at the East County Courthouse has been so reduced that the clerk's office is unable to process the work in all these areas in a timely manner. Given the urgency of the problem, as a temporary solution, the court is transporting all initiating civil case filings to the Hall of Justice in Ventura for processing and then transporting the files back to the East County Courthouse in Simi Valley. Moving the civil courtrooms will allow for greater efficiencies by processing all civil cases in one court location. While the court regrets that inadequate funding is reducing access to the courts for the citizens of this county, it cannot maintain the current level of services.

The East County Courthouse would continue to hear and accept filings for Family Law Small Claims, Unlawful Detainers and Traffic matters.

The public is invited to comment on this proposal, either by mail or e-mail, by November 8, 2011. Please direct your response to:

Michael D. Planet, Court Executive Officer
P.O. Box 6489
Ventura, CA 93006-6489
relocationresponse@ventura.courts.ca.gov

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT “C”



INTEROFFICE MEMORANDUM

July 1, 2009

To: **Civil/Small Claims/Appeals Staff**
From: *JMC* **Julie Camacho, Court Program Manager**
Subject: **Revised Court Closing Time of 4:00 p.m.**

As you are all aware, the Ventura Superior Court processing units hours of service to the public and telephone hours have been revised effective Wednesday, July 1, 2009.

The doors to the public lobby will be closed at 4:00 p.m.

Telephone calls from the public and outside agencies (i.e., Court of Appeal, District Attorney's Office, etc.) will not be accepted from 11:30 a.m. to 1:30 p.m., and 4:00 p.m. to 5:00 p.m. Telephone calls from other court departments and courtroom staff will continue to be accepted.

A locked court drop box has been placed in the hallway outside the lobby doors. Documents placed in the drop box before 5:00 p.m. will be receive stamped by court staff when they are removed from the box. When the documents are processed, they will receive a filing date the same as the date they were received.

At 4:00 p.m., the goal will be to clear the lobby of customers as quickly as possible so that as much time as possible can be spent processing backlog. In order to accomplish this goal, the following guidelines will be followed by processing staff at 4:00 p.m.:

1. If you are assisting customers in the Single Filing lines, process their single case filings and continue to assist each customer in line until the lobby is cleared.
2. If you are assisting customers in the multiple filing lines, complete the processing of any document you are working on at 4:00 p.m. If the customer has additional filings give them the option of dropping off the remaining filings, or returning on the next business day.
3. If additional customers are in the lobby in the multiple filing lines at 4:00 p.m., the clerk will process 1 case filing per customer. Customers will then be

given the option of dropping off the remaining filings, or returning on the next business day.

4. Back office staff must place their telephones on "Not Ready" between the hours of 11:30 a.m. and 1:30 p.m., and 4:00 p.m. to 5:00 p.m.
5. Back office staff must return their phones to operating status promptly at 1:30 p.m.

Once the lobby doors are closed, direct all customers to exit the lobby through the double doors across from the Small Claims Unit.

The supervisors will assign work to the counter staff. The focus will be on processing the oldest backlog in the office.

The time that the office is closed to the public must be spent productively. Please remember to remain focused on processing of work.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT “D”



Superior Court of California

COUNTY OF VENTURA
Hall of Justice
800 South Victoria Avenue
Ventura, CA 93009

May 19, 2010

NOTICE OF COUNTER FILING CHANGES

Effective June 21, 2010, the Ventura Superior Court of California, County of Ventura, will implement a change to the documents permitted to be filed at the front office filing counters.

The following documents will be required to be dropped off for back office processing:

CIVIL (All documents relating to Unlawful Detainer cases are excluded from this change.)

1. Case initiating papers including Complaints, Petitions and Applications
2. Applications for and Renewals of Judgment
3. Clerk and court default judgment packets, **except** Requests for Entry of Default

Note: The documents listed above can be dropped at the civil filing counters in Ventura and East County, or at Window 14 in Ventura.

FAMILY LAW

1. Case initiating papers, **except** Restraining Orders
2. Any document without a future hearing date scheduled

Dropped documents must include:

1. A stamped, self-addressed envelope **OR**
2. Attorney service drop box number

Documents dropped without one of the above will be placed in the public pick-up bin and, if not picked up within thirty days, will be discarded.

Dropped documents will be received stamped, and will be processed as of the date they are dropped, unless rejected.

"We appreciate your cooperation in implementing these changes, and thank you in advance."

*Michael D. Planet
Court Executive Officer*

Mailing Address: P.O. Box 6489, Ventura, California 93006-6489

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT “E”

Courthouse News Service

RECEIVED

JUL 27 2009

VENTURA SUPERIOR COURT
ADMINISTRATION

July 23, 2009

Cheryl Kanatzar
Deputy Executive Officer
Superior Court of California
County of Ventura
Hall of Justice
800 South Victoria Avenue
Ventura, CA 93009

Re: Media Access to New Civil Filings

Dear Ms. Kanatzar:

On behalf of Julianna Krolak and all of us at Courthouse News Service, I would like to thank you and your professional and helpful staff for assisting us in ensuring new civil unlimited filings make it to the media bin for media review before being placed on the shelf.

Your actions have greatly improved press access to an important courthouse in the state of California, and for that we are deeply appreciative.

If you ever have any questions for me, I am always available and we will not hesitate to contact you in the future if we have questions. Once again, thank you for your assistance.

Sincerely,



Chris Marshall
Northern California Bureau Chief

Encl..
bcc:

Bill Girdner
Editor

Julianna Krolak
Courthouse Reporter

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT “F”

RECEIVED

FEB 09 2011

COURTHOUSE NEWS SERVICE

30 N. Raymond Avenue, Suite 310, Pasadena CA 91103, (626) 577-6700, home@courthousenews.com

VENTURA SUPERIOR COURT
ADMINISTRATION

Chris Marshall
Northern California Bureau Chief
Courthouse News Service
(415) 861-7361
sanfran@courthousenews.com

February 7, 2011

Cheryl Kanatzar
Court Executive Officer
Ventura County Superior Court
800 South Victoria Avenue
Ventura, California 93009

Dear Ms. Kanatzar:

I am writing for Courthouse News Service (CNS), on behalf of reporter Julianna Krolak, regarding media access to newly-filed civil complaints at the Ventura County Superior Court. Courthouse News Service appreciated your willingness to work with us to set up the media bin a few years ago and we trust we will be able to work together again in a cooperative manner to address our present concerns.

As you may recall, Courthouse News Service is a legal news service for lawyers and the news media. Founded in 1990, Courthouse News is similar to other news wire services, such as the Associated Press, except that it focuses on civil lawsuits, from the date of filing through the appellate level. Courthouse News does not report on criminal or family law matters. The majority of Courthouse News' nearly 2,500 subscribers nationwide are lawyers and law firms, including many prominent California firms. However, law schools and media outlets are increasingly looking to Courthouse News for information about newsworthy civil filings, and include such well-known California media outlets and law schools as the *San Jose Mercury News*, the *Los Angeles Times*, the *Los Angeles Business Journal*, UCLA Law Library, Stanford Law School, and Loyola Law School. Courthouse News' core news publications are its new litigation reports, which are e-mailed to subscribers daily and contain coverage of all significant newly-filed civil complaints filed in a particular jurisdiction. In addition, Courthouse News' website (www.courthousenews.com), which features news reports and commentary about civil cases and appeals, receives an average of 600,000 unique visitors each month.

Until a few months ago Ms. Krolak had been visiting the main division of the Ventura Superior Court on a twice-a-week basis to review new civil unlimited complaints (Courthouse News does not cover criminal or family actions, nor does it review limited civil actions). In recognition of the increasing importance of Ventura County as a source of newsworthy litigation, Ms. Krolak began visiting the Court on a daily basis in November, with each of her visits occurring near the end of each court day.

Given these now-daily visits, Courthouse News hoped that it would be able to review and report on new civil complaints at the end of the same day on which those complaints are filed. This same-day access is provided to news reporters who make daily visits to other major superior courts, including the California Superior Courts in Los Angeles, Riverside, San Francisco, and Santa Clara, as well as other major courts across the nation. A survey that further describes the same-day access that news reporters have in other courts is enclosed for your review.

Unfortunately, access to new civil complaints at the Ventura County Superior Court is nowhere near same-day. In a recent one-week survey of unlimited jurisdiction cases covered by Courthouse News, Ms. Krolak saw only one case on the day it was filed. Of the remaining cases, a majority was three days to one week old and a large minority was one to two weeks old.

For example, a case against Rubio's Restaurant alleging sexual harassment (56-2010-00387332) was not made available for media review until 13 days after it was filed; a complaint claiming The Bonaventure denied a worker's medical leave request (56-2010-00387945) was not available until 8 days after the filing date; another complaint charging Rite-Aid with refusing to accommodate a worker's medical restrictions (56-2010-00387942) was delayed by 9 days and finally a complaint where an investor allegedly took advantage of the elderly (56-2011-00389425) was not made available until 13 days after it was filed.

In an age where the average news cycle is less than 24-hours, these delays eliminate the newsworthy nature of new cases filed in this court.

In most courts that Courthouse News visits on a daily basis we have been able to work with staff to ensure that we have access to all newly-filed civil unlimited cases on the day they are filed.

I recently spoke with Leticia Tueraca, Records Division Supervisor, about achieving access to cases on the day they are filed. While Ms. Tueraca was helpful and willing to adjust procedures to assist our endeavor, she told me that ultimately it was not in her power to affect a switch to same-day access as almost every case does not make it to the Records Division until days after it is filed. Courthouse News thus requests your assistance in setting up procedures to ensure access to newly-filed complaints on the day they are filed for any media entity that assigns a reporter to cover the courthouse on a daily basis, regardless of whether all administrative tasks associated with those cases have been completed.

The current use of a media bin could be incorporated into these procedures. One possible solution would be for the media bin to be placed in the Civil Division where the intake counters are located, which Ms. Krolak could access near the end of the day. Such a system would allow Ms. Krolak access to cases soon after they are filed without requiring the court to speed up processing, which Courthouse News is not requesting. In fact it has been Courthouse News' experience that attempts to speed up processing rarely result in

lasting results, due to staff sick days, vacations, breaks and other variations in work schedules. Courthouse News welcomes the opportunity to discuss procedures that will ensure access to unlimited civil cases on the day they are filed.

While I am not a lawyer, it is my understanding that the law provides for a right of timely access to new court filings, and that the law also recognizes it is appropriate to create special access procedures for the media so they can convey that information to other interested members of the legal, academic and business communities.

As shown in the enclosed survey, many other courts in California and around the nation have set up systems to allow members of the media to review newly-filed cases on the day they are filed, regardless of whether all of the administrative tasks associated with new complaint intake have been completed.

Courthouse News Service has worked cooperatively with courts across the country to ensure all members of the media are able to access civil complaints on the day they are filed. We are confident that by working together we can find a solution to ensure similar timely access at the Ventura County Superior Court. To this end, Ms. Krolak and I would gladly meet with you to discuss ways to secure that access at this court.

Sincerely,



Chris Marshall

Enclosure

cc: William Girdner, Editor, Courthouse News Service
Rachel Matteo-Boehm, Esq., Holme Roberts & Owen LLP

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT “G”

**Julie Camacho - New Filings - Routing to Records (including media bin)
FORTHWITH**

From: Martha McLaughlin
To: Civil Staff
Date: 2/17/2011 4:22 PM
Subject: New Filings - Routing to Records (including media bin) FORTHWITH

STAFF:

Concerns have been raised with respect to the delay in time of new filings being sent to court records (to include the media bin). Everyone is being asked to please make every effort to complete your entire new filing (s) on the same day filed. Please assemble and distribute to either the cart or the media bin box timely. We understand you may need a day or so more if you encounter a new filing that has multiple parties for entry. However, short of that, it is **imperative** that the files move on their way daily. This not only ensures proper location, but it helps to eliminate mix-up in placing of labels on documents, missing files, etc. Thank you for your prompt cooperation, please make good use of 4:00-5:00 p.m. time for this activity. Please see me if you have any questions or concerns.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT “H”

Julie Camacho - Re-Prioritizing of New Filings Desk

From: Julie Camacho
To: Maria Ochoa; Martha McLaughlin
Date: 3/15/2011 8:26 AM
Subject: Re-Prioritizing of New Filings Desk
CC: Denise Lugo; Mari Soto; Vicki Knight

Maria -

I just want to confirm in writing for everyone the decisions that we made last week regarding re-prioritizing the limited and unlimited new complaints.

To save staff from having to photocopy the backlog of Unlimited jurisdiction new complaints for the media bin, these filings will now be the highest priority complaints to be filed. We receive on average 6 per day. Maria has started separated the "other" new complaints by limited and unlimited jurisdiction and labeling them as such.

Maria will work on these filings as the first and highest priority item on her desk (along with any Unlawful Detainer filings she may get) and immediately route them to the Media bin in Records. We have promised a maximum 2 day turn around to the media. Unlimited cases includes any petitions where the procedure states to forward the file to the Media Bin.

This also means that if Maria is out of the office, her work will need to be prioritized and the Unlimited new filings will need to be assigned to another clerk each day.

If there are any issues that arise with this procedure, please let me know. This is a trial period to make sure that this procedure works.

Thank you,
Julie

Julie Camacho
Court Program Manager
Superior Court of California
County of Ventura
Hall of Justice, Room 210
800 S. Victoria Avenue
Ventura, CA 93009

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT “I”



Superior Court of California

COUNTY OF VENTURA
Hall of Justice
800 South Victoria Avenue
Ventura, CA 93009

Michael D. Planet
*Executive Officer/Clerk
and Jury Commissioner*

FOR IMMEDIATE RELEASE

Date: September 22, 2011

Contact: Robert Sherman
Assistant Court Executive Officer
(805) 654-2964

VENTURA SUPERIOR COURT ANNOUNCES BUDGET REDUCTION MEASURES: Including Layoffs, Furloughs, Partial Court Closures and Reduced Service Hours

The actions outlined here are necessary to address the continued reductions in funding for the California court system. Since the 2008-09 fiscal year the Governor and Legislature have approved \$652 million in ongoing budget cuts to the judicial branch. These reductions have resulted in a budget deficit of \$5.8 million for 2011-12 for the Ventura Superior Court. This is along with the prospect of even deeper cuts in the 2012-13 fiscal year.

The Superior Court of California, County of Ventura, is providing notice of the decision of the Presiding Judge to institute partial closure days on the dates designated below.

The majority of the courtrooms and all clerks' offices at all three courthouse locations will be closed on November 23, 2011, December 23, 27, 28, 29 and 30, 2011 to mitigate the impact of additional unpaid employee furlough days on court operations. These partial closure days are not court holidays, so statutory deadlines will not be extended. However, drop boxes are currently provided outside each clerical office for filing papers or submitting payments. Documents placed in the boxes by 5:00 p.m. are deemed deposited for filing that same business day. Most cases already calendared for hearing will be rescheduled and the affected parties notified by the court.

The exterior walk-up window on the north side of the Hall of Justice, Government Center, 800 South Victoria Ave., will be open between 8:00 a.m. and 6:45 p.m. for handling criminal/traffic payments and collections payments only. Limited courtrooms will be open to hear urgent matters, and a judge will be available to sign any other necessary documents on an emergency basis at the Hall of Justice. A courtroom will also be open at the Juvenile Justice Center for urgent juvenile matters. All Simi Valley courtrooms will be closed.

Mailing Address: P.O. Box 6489, Ventura, California 93006-6489

Exhibits To Kanatzar Declaration
Case No. CV 11-08083 R (MANx)

These dates were selected to minimize the impact on the public and court staff as court business is generally the slowest during the holiday season.

Effective Tuesday, January 3, 2012, the hours of the Clerk's Office, Monday through Friday, shall be 8:00 a.m. to 3:00 p.m. for traffic, civil, small claims, family law, criminal, juvenile, probate and records. Phone hours will be from 8:00 a.m. – 11:30 a.m., and 1:30 p.m. – 3:00 p.m. The Walk-up Express Window at the main Ventura Courthouse for Traffic and Collections payments only will remain open from 8:00 a.m. to 6:45 p.m. Monday through Friday.

Staffing in the Clerk's Offices has been significantly impacted by unfilled vacancies and furloughs. A reduction in the Clerk's Office hours will help court staff to timely process cases and prepare court calendars. Drop boxes are currently provided outside each Clerk's Office for filing papers or submitting payments. Documents placed in the boxes by 5:00 p.m. are deemed deposited for filing that same business day.

This week the court issued layoff notices to four (4) court employees after labor negotiations with the SEIU bargaining unit on budget reductions. After completing negotiations with the Criminal Justice Attorney's Association of Ventura County and SEIU, all court staff are taking mandatory unpaid furlough days ranging from thirteen (13) to eighteen (18) days depending on classification. All staff were required to take twelve (12) unpaid mandatory furlough days in the 2009-10 and 2010-11 fiscal years. This fiscal year's furloughs represents approximately 44,000 staff hours of lost work time directly impacting the court's ability to provide prior levels of service to the public.

In addition to the unpaid employee furloughs and staff layoffs, the court has also instituted other cost saving measures including, a freeze on hiring with thirty-seven (37) vacant positions that is projected to save \$2 million over the fiscal year; along with the reengineering of various court processes for efficiencies, reductions in non-salary related operating expenses, and the closure of the Colonia Self Help Center.

###