

Get the FAQs About the Court's Revised Name Search Policy

Frequently Asked Questions (FAQs)

On Tuesday, February 20, 2024, the Superior Court of Los Angeles County <u>announced</u> that effective February 26, the Court would no longer include the month and year of birth as criteria in its criminal name search engines at LACourt.org, public kiosks or clerk's offices (for members of the general public or third parties). This document provides answers to Frequently Asked Questions the Court has received from various stakeholders since the revised policy became effective.

1. Why did the Court revise its name search policy?

The Court's policy is based on applicable state law. This policy balances the privacy interest of criminal case parties and public access to criminal records in compliance with <u>California Rules of Court, rule 2.507</u>, and related state law, which specifically require that age and date of birth information be excluded from criminal record searches by the public and third parties.

2. What is the policy?

Effective February 26, 2024, month and year of birth is no longer available as filtering search criteria in criminal name search engines on <u>LACourt.org</u> or at public kiosks. Furthermore, Clerk's Office staff will no longer conduct searches or verify information based on month and year of birth for persons who are not parties in the case, including members of the general public and third parties.

Clerk's Office staff will only conduct searches using the full date of birth when the requesting party is the individual in which the search applies to or the individual's attorney of record and upon showing of valid identification.

Persons other than the named individual or their attorney of record, including professional background checkers and members of the media, can request to view any court file in person at the courthouse in which the file is maintained to determine if the information applies to the person about whom they are inquiring. To ensure the Court can efficiently assist all court users, a maximum of five case files may be requested at any given location per day.

3. What are the applicable rules and state law that require this policy?

See California Rules of Court, rule 2.507; All of Us or None of Us - Riverside Chapter v. Hamrick (2021) 64 Cal.App.5th 751; and related legal and statutory authority.

4. Can I request my own criminal history information?

Yes. Pursuant to the Court's policy, anyone may visit <u>any Superior Court of Los Angeles County Criminal Clerk's Office location</u> and request their **own** criminal history information to be searched using the date of birth. A valid identification is required.

5. Have there been attempts to address this issue in the California Legislature?

Yes. As recently as 2022, <u>Senate Bill 1262 – Courts: Indexes</u>, would have allowed superior courts to permit filtering searches of publicly accessible electronic court indexes by an individual's driver's license number, or date of birth, or both. Governor Newsom <u>vetoed</u> the bill on September 29, 2022.