

DE-MYSTIFYING THE EXHIBIT REVIEW PROCESS IN CRIMINAL CASES A 2018 EDITION¹

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In the Fourth Appellate District, procedures for reviewing exhibits for adult and juvenile cases vary among the six county court systems. Division One jurisdiction covers San Diego County and Imperial County. Division Two jurisdiction covers Riverside County, San Bernardino County, and Inyo County. Division Three jurisdiction covers Orange County. Below is updated information assembled on the procedures, including applicable rules of court.² For contact information for the superior courts' appellate clerks and exhibit custodians, see [Superior Courts within Fourth District Court of Appeal](#).³

To promote efficiency and reduce travel expenses, information is also provided on how Appellate Defenders, Inc. ("ADI") can help by viewing and obtaining copies of exhibits on behalf of an out-of-county appointed attorney.

¹The article was originally published in the ADI July 2003 newsletter and thereafter updated.

² This information can change at any time within the particular court. If the reader learns of a material departure from this guide, please contact the author at amj@adi-sandiego.com.

³http://www.adi-sandiego.com/practice/court_attorney_contacts.asp

California Rules of Court

Reference to Exhibits in the Appellate Briefs: Exhibits are part of the record and can therefore be referred to in the appellate briefs. (Cal. Rules of Court, rule 8.320(e).)

Transmission of Exhibits to the Reviewing Court: California Rules of Court, rule 8.224(a), provides, in relevant part, that within 10 days after the last respondent's brief is filed or could be filed, a party wanting the reviewing court to review an exhibit must serve and file a notice in the superior court designating such exhibit. The Court of Appeal must be served with a copy. If you miss the deadline, a motion requesting transmittal must be filed in the reviewing court.⁴ (Cal. Rules of Court, rule 8.224(c).)

Division Two has a [modified procedure](#).⁵ It sends to the appointed attorney, early in the case and usually with the appointment order, a form stating that it prefers early transmission of the exhibits. The form contains a request for transmission, which is to be completed by the attorney and returned to Division Two, not the superior court, with the appellant's opening brief.

Attachment to Appellate Briefs: Under California Rules of Court, rule 8.204(d), copies of exhibits or other materials in the appellate record may be attached to a brief.

⁴ See ADI's guide to motion practice: *Motion Practice in the Fourth Appellate District Pertaining to Criminal and Juvenile Cases* (2017 ed.).

(http://www.adi-sandiego.com/news_alerts/pdfs/2012/Motion_Practice_2.pdf)

For sample motions see http://www.adi-sandiego.com/practice/forms_samples.asp (alphabetical listing).

⁵http://www.adi-sandiego.com/practice/fourth_dist_div2.asp#superior2

The attachment is limited to 10 pages in length, but a longer attachment may be permitted on application for good cause.

ADI Assistance

Division One Cases: To save travel time and reduce expenses for San Diego County cases, ADI can view and obtain a copy of all case related “materials,” including exhibits, on behalf of out-of-county appointed attorneys⁶ who deem it necessary to obtain and review the exhibits. This includes media exhibits. ADI also has authority to obtain confidential and sealed materials and exhibits, in both adult and juvenile cases. ADI does not travel to branch courts to review and obtain exhibits for appointed counsel. Appointed counsel, who is out-of-county, is expected to contact the ADI staff attorney for assistance and to seek pre-approval for travel if the case necessitates a hands-on review of exhibits or there is a large number of exhibits.⁷ There is no transferring of exhibits from a branch court to the central court.

⁶ See court miscellaneous order 112812:
<http://www.courts.ca.gov/documents/4dca-div1-112812-ADI-access-to-superior-court-records.pdf>. It applies to criminal, juvenile delinquency, juvenile dependency cases, as well as other cases, in both San Diego County and Imperial County Superior Courts.

⁷ See Claims Manual:
http://www.adi-sandiego.com/pdf_forms/Claims_manual.pdf, which states at the “Travel” section: “*Preapproval*: Travel for non-routine purposes must be preapproved by the executive director. Going to oral argument is routine. Travel to review the superior court file [and exhibits] is routine for counsel in the same area as the superior court, but not for those who must go long distances.”

For Imperial County cases, ADI does not routinely travel to that county to review exhibits. If the case necessitates, the appointed attorney will need to personally review the exhibits. In an effort to keep costs down, the appointed attorney must first ask the exhibit custodian if he/she could send copies of documentary exhibits to the attorney. This option is not available in death penalty cases. To obtain a copy of media exhibits, a superior court order is necessary.⁸

Divisions Two and Three Cases: If counsel needs exhibits that can be copied, for example, documentary, photographic, or media, the attorney is expected to seek assistance of ADI. The exhibits can be obtained on behalf of the appointed attorney by the ADI court ambassador. The panel attorney can make a request through their staff buddy, who will relay it to an ambassador, David Rankin or Lynelle Hee. There are two exceptions. First, San Bernardino County Superior Court does not have the ability to copy media exhibits [CDs, DVDs, audio, and video cassettes]. The procedure for obtaining a copy is to file a motion in the Court of Appeal to transmit exhibits for copying by that court.⁹ Second, Inyo County requires a superior court order.¹⁰

For Division Three cases, if obtaining the exhibit copy is urgent, the clerk can ship them at counsel's (or ADI's) expense by FedEx or UPS. Contact ADI staff attorney Neil

⁸ See *post*, [Imperial County](#).

⁹ See [Forms & Samples](#): “Motion to Transmit Exhibits for Copying.”

¹⁰ See *post*, [Inyo County](#).

Auwarter, who is the Division Three ADI ambassador, and the assigned staff attorney or directly contact the exhibit clerk at: CJCE Exhibits@occourts.org and “cc” to gchristison@occourts.org. If the exhibit is a physical exhibit (e.g., the assault weapon), is oversized, or is a chart that cannot be photocopied because of its size, the ADI ambassador can review the exhibit and photograph it. If a hands-on review by appointed counsel is necessary, the appointed attorney must obtain pre-approval for the travel expense by contacting the ADI staff attorney. Thereafter, contact the court exhibit clerk to make an appointment for an in-person visit. Bring your appointment order and identification.

Division Two’s order¹¹ permitting ADI access to court “files,” including confidential and sealed “documents,” does not expressly identify exhibits; however, the Court of Appeal has informed ADI that the term “files” includes exhibits.

Division Three does not have a comparable order. ADI, therefore, cannot access confidential and sealed exhibits in the Orange County Superior Courts.

Email request to ADI: To make a request for ADI to review and make a copy of an exhibit, email the case-assigned staff attorney. Provide the case name, appeal number, superior court county case number, and the specific exhibits to be copied. Staff attorney

¹¹ See court order 17-4, at http://www.adi-sandiego.com/practice/fourth_dist_div2.asp which applies to criminal, juvenile delinquency, juvenile dependency cases, as well as other cases. The order applies to all counties under the jurisdiction of Division Two.

e-mail addresses are located on [ADI's web site](#).¹² That request will then be forwarded to the division ADI ambassador. As previously noted, the ADI staff attorneys assigned as court ambassadors to Division Two are David Rankin and Lynelle Hee. The Division Three court ambassador is Neil Auwarter. The ADI ambassador will contact the superior court to make arrangements. If exhibits are not available for copy, the ADI ambassador will contact the appointed attorney.

A Note About Confidential or Sealed Exhibits

The rules concerning sealed¹³ and confidential¹⁴ records in the Supreme Court and Court of Appeal were rewritten, effective January 2014. They clarify procedure for transmission to the reviewing court, specify who can receive copies of these records, and outline how a party can discuss these records in a brief, petition, or other filing in an

¹²<http://www.adi-sandiego.com/about/contact.asp>

¹³“A ‘sealed’ record is a record that is closed to inspection by the public or a party by order of a court under rules 2.550-2.551 or rule 8.46.” (Cal. Rules of Court, rule 8.45(b)(3).)

¹⁴“A ‘confidential’ record is a record that, in court proceedings, is required by statute, rule of court, or other authority except a court order under rules 2.550-2.551 or rule 8.46 to be closed to inspection by the public or party.” (Cal. Rules of Court, rule 8.45(b)(5).)

appellate court proceeding. The new provisions are set forth at rules 8.45 to 8.47 and cover appeal and writ proceedings. [ADI's memo on rule changes for 2014](#)¹⁵ provides detailed guidance.

Sealed and confidential records include exhibits. (Cal. Rules of Court, rule 8.45(b)(1).) The appointed appellate attorney may personally view and obtain a copy of a confidential or sealed exhibit without a court order, as long as the party he or she represents, or the party's trial counsel, had access to the record in the trial court.¹⁶ (Cal. Rules of Court, rule 8.45(d) [transmission of and access to sealed and confidential records of cases on appeal limited to reviewing court and parties who had access to the record below] & rule 8.10(3) [“Party” includes any attorney of record for that party].) If neither the party nor his or her trial counsel had access, then a court order will be needed.

Although rule 8.45(d)(1) requires that the “record” be transmitted to the Court of Appeal and to the party who had access to the record in the trial court, an exhibit would not be initially transmitted to the Court of Appeal or the appointed attorney when the transcripts (paper or CD format) are filed with the court and sent to the attorney. Contact the superior court exhibit custodian ahead of time to make arrangements to view and

¹⁵[http://www.adi-sandiego.com/pdf_forms/SELECTED_CHANGES_TO CALIF ORNIA RULES OF COURT EFFECTIVE JANUARY.pdf](http://www.adi-sandiego.com/pdf_forms/SELECTED_CHANGES_TO_CALIF_ORNIA_RULES_OF_COURT_EFFECTIVE_JANUARY.pdf)

¹⁶“If a party’s attorney but not the party had access to the record in the trial court or other proceedings under review, only the party’s attorney may examine the record.” (Rule 8.45(d)(1).)

obtain a copy of an exhibit. Many courts prefer email requests to review exhibits in general. Some have no preference. If the exhibit is sealed or confidential, please inform the exhibits clerk before going to the courthouse that, under rule 8.45(d)(1), you are now authorized to view the exhibits without a court order. If there is a disagreement about your right to access without a court order, contact the assigned ADI staff attorney.

Viewing Exhibits in Division One

San Diego County

There are four courts in which exhibits relating to adult felony cases are contained, and there is a fifth court that maintains the exhibits relating to juvenile cases. To view an exhibit, you must go to the respective courthouse.

(1) County Courthouse, Central Division Exhibit Room MS-C44: 1100 Union St., San Diego, CA 92101; (619) 844-2574; exhibits custodian coordinator – William Nicks. Hours: 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:15 p.m., Monday through Friday.

The appointed attorney must call in advance and make an appointment. Bring identification and the appellate appointment order in the event the exhibit room has not yet received the appointment order from the court.

The exhibit room is located in the basement, accessible only by elevator. From the lobby, take elevator number 1, which is the only elevator that goes to the basement. Upon

exiting into a small corridor, you will see a phone. When the receiver is lifted, a list of departments shows up. Press exhibits.

If copies of paper documents are needed, the exhibit technician will, as a courtesy, copy up to 10 pages. Photographic exhibits can be copied by the exhibit technician for the attorney, as long as they are no larger than 8" x 11" size. If the copy request is for greater than 10 pages or the size is larger, there are two options: (1) bring a copier or (2) obtain a superior court order to have a copy service come to the exhibit room and make the copies.¹⁷

Equipment is available to review media exhibits (CDs, DVDs, audiotapes, and videotapes). No equipment is available to make copies of these exhibits. To make a copy of media exhibits, including reprints of photographs, a court order is not required for the appointed attorney to bring his or her own device to make the copy.

(2) North County Superior Court: 325 S. Melrose Dr., room C021, Vista, CA 92081; (760) 201-8285. There is no exhibit custodian at this time. Contact the Central Court exhibits custodian coordinator – William Nicks at (619) 844-2574. Hours: 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:15 p.m., Monday through Friday.

¹⁷ Motions filed in superior court must conform to rule 2.100, et. seq. and be printed on pleading paper. See, for example, ADI Forms & Samples: “Motion for Order Permitting a Copy Service to Make Copies of Exhibits at the Superior Court.”

Call to make an appointment. The exhibit room is located in the single-story, old court building in the basement. While in the lobby, call the exhibit room, and you will be escorted to the room.

The same procedures outlined in section (1) above apply. Equipment is available to review media exhibits.

(3) **East County Superior Court:** 250 E. Main St., El Cajon, CA 92020; (619) 456-4240; exhibit custodian – Mike Reddy. Viewing hours: 8:00 a.m. to 12:00 p.m and 1:00 p.m. to 4:15 p.m. Mr. Reddy will answer phone calls starting at 7:30 a.m. Exhibits are available for viewing only on Monday and Wednesday. Call to make an appointment and arrange where to meet Mr. Reddy, because he is the custodian for both courts in East County and South County.

The same procedures outlined in section (1) above apply. The only equipment that is available to review media exhibits is a laptop; you must give notice ahead of time that you will need the equipment. You can also bring your own equipment.

(4) **South County Superior Court:** 500 3rd Ave., Chula Vista, CA 91910; (619) 746-6198; exhibit custodian – Mike Reddy. Viewing hours: 8:00 a.m. to 12:00 p.m and 1:00 p.m. to 4:15 p.m. Mr. Reddy will answer phone calls starting at 7:30 a.m. Exhibits are available for viewing only on Tuesday and Thursday, because he is the custodian for both courts in East County and South County.

Call to make an appointment and arrange where to meet Mr. Reddy. The same procedures outlined in section (1) above apply. The equipment that is available is a tape player, a television to view VHS tapes, and a laptop.

(5) **Juvenile Court:** 2851 Meadow Lark Drive, San Diego, CA 92123; (858) 634-1537; exhibit custodian – Kayleen Norstrom. Hours: 8:30 a.m. to 4:00 p.m., Monday through Friday, excluding 12:00 to 1:00 p.m. lunch recess.

Call to make an appointment. You can call either the above number or the business office, which is the location where exhibits are viewed: (858) 634-1600, press 1, then press 0. The business office is located on the second floor.

The same procedures outlined in section (1) above apply with the following modifications. Only the appointed attorney of record or ADI is permitted to view these confidential exhibits, and an appointment order must be presented.

Equipment is not available to review media exhibits. Therefore, you will need to bring in your own equipment to view the exhibit or the attorney must present a court order for permitting a copy service to make a copy in the business office.¹⁸

¹⁸ See footnote 17, *ante*.

Imperial County

Main Court: 939 W. Main St., El Centro, CA 92243; (760) 482-2240. Hours: 8:00 a. m. to 4:00 p.m., Monday through Friday. The main court contains the exhibits for felony adult and juvenile cases.

Call at least two days before the visit to make an appointment. Contact Gloria Hernandez, who is the appellate clerk: (760) 482-2236. She will make arrangements with the exhibit custodian to prepare the exhibits. To view exhibits, go to the clerk's office of the civil department. No appointment order is required. Viewing exhibits is not limited to attorneys of record; however, only the attorney or ADI can view confidential or sealed exhibits. The court requires the viewing party to fill out an Exhibit Viewing Request Form and present state-issued identification. Attorneys must present a State Bar card.

In lieu of travel to the court for review of documentary exhibits, the attorney can request by letter that a copy be mailed. Follow up with a phone call if no response is received after a reasonable amount of time.

If the attorney must go to the court to view documentary exhibits, the exhibit technician can make a copy at that time; if there are time constraints, then request that copies can be mailed.

No equipment is available to review media exhibits, and no equipment is available to make copies. To make copies, a superior court order is required.¹⁹ Make sure the order

¹⁹ See footnote 17, *ante*.

states that there are no costs to appellant because it is an indigent appeal. The exhibit technician will make the arrangements for making a copy. The appointed attorney can bring his or her own equipment to make copies but two days' advance notice must be given to the exhibit clerk.

The procedures outlined above apply to the review of juvenile case exhibits with two modifications. Only the appointed attorney or ADI can view the exhibits, and an appointment order must be shown.

Viewing Exhibits in Division Two

If the appointed attorney must personally review the exhibits and the attorney is out-of-county, seek pre-approval from ADI and then contact the superior court in advance to make arrangements, to obtain guidance on the exhibit review procedure for the particular court, and to ascertain the location of the needed exhibits, as some may be stored off site. Exhibit custodians prefer attorneys to email their requests, but for some email is not available. For more information, see [ADI's Fourth District, Division Two page](#).²⁰

As noted in the "[ADI Assistance](#)" section, *ante*, Division Two's miscellaneous order 17-4 permits viewing and copying of files by the appointed attorney and ADI, which includes exhibits of criminal, juvenile dependency, and juvenile delinquency cases, et. al., including sealed and confidential records. The order further states that "[i]f the

²⁰http://www.adi-sandiego.com/practice/fourth_dist_div2.asp#superior2

superior court clerk considers a denial of access necessary, the superior court clerk is DIRECTED to discuss by telephone the denial of access with the clerk of [the Court of Appeal] before denying access.”²¹

Riverside County

(1) **Riverside County Court:** Historic Court, 4050 Main St., Riverside, CA 92501; (951) 777-3098; email: RiversideExhibits@riverside.courts.ca.gov – exhibit custodian lead is Jesse Castro. Hours: 8:00 a.m. to 4:00 p.m., Monday through Friday.

The exhibit room is located in the basement. Only the attorney of record or ADI is allowed to view exhibits, unless the attorney gives notice by letter that someone else will view the exhibits. Only the attorney of record or ADI can view confidential or sealed exhibits. You must bring the appointment order and identification.

The exhibit clerk can provide a copy of documentary and media exhibits. You can bring your own scanner and laptop. Equipment is available to review media exhibits.

(2) **Juvenile Court:** 9991 County Farm Rd., Riverside, CA 92503; (951) 777-3147 (press 1, then 5, then 9).

Call to determine the location of the exhibits because some may be at the main court (see (1) above). Appointment orders are required. Only the attorney of record or ADI is permitted to view these exhibits.

²¹ See footnote 11, *ante*.

(3) **Indio Court:** Larson Justice Center, 46-200 Oasis St., Indio, CA 92201; (760) 393-2345; email: DesertExhibits@riverside.courts.ca.gov – exhibit custodian Graciela Rios. Hours: 8:00 a.m. to 5:00 p.m., Monday through Friday. Closed from 12:00 p.m. to 1:00 p.m.

Call or email to make an appointment. As a courtesy, please give five days advance notice if there are numerous exhibits. The custodian will inform you of the location to meet her to view exhibits. An appointment order is not required.

Usually only the attorney of record or ADI is allowed to view exhibits, unless you make a different arrangement with the custodian. Only attorneys of record or ADI is allowed to view confidential or sealed exhibits. Equipment is available to review media exhibits (CD/DVD), but it may not necessarily be compatible with the particular exhibit.

The custodian can make a black and white copy of paper documents while you wait. Colored paper copies are not available, but an electronic copy can be provided.

If the case concerns a murder conviction and the exhibits concern weapons or illegal contraband, the District Attorney's Office is contacted so that an investigator can be present during the viewing.

(4) **Blythe Court:** 265 N. Broadway, Blythe, CA 92225; (760) 775-8500 (press 1, then 1, then 9); email: DesertExhibits@riverside.courts.ca.gov. No trials take place in this court. Trials take place in Indio Court. Exhibits are stored in Indio Court.

(5) **Murrieta Court:** Southwest Justice Center, 30755-D Auld Rd., Murrieta, CA 92563; (951) 704-7647 (Codie Fagan) or 7587 (Eleanor Moran); email: codie.fagan@riverside.courts.ca.gov. Exhibit custodian – Codie Fagan. Hours: 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding 12:00 p.m. to 1:00 p.m..

Call to make an appointment two days in advance. At the courthouse, go to the agency service window and ask for the exhibit custodian. Equipment is available to review media exhibits, but prior arrangements must be made. Attorneys can bring a laptop, and no court order is required to do so. Bring your appointment order and identification. To have someone else view on your behalf, the person should bring his/her identification, a letter from you authorizing the person to view, and a copy of your appointment order. Only the appointed attorney, a pro per defendant, or ADI can view confidential exhibits with the custodian present. A copy of documentary exhibits can be provided on site. The Southwest Court houses some juvenile exhibits, depending on where the hearing took place. Only the appointed attorney, a pro per defendant, or ADI can view these exhibits.

San Bernardino County

Because of various court closures, as identified in the list below, felony cases and the corresponding exhibits of those courts have relocated. Also, the criminal division of San Bernardino Superior Court moved to a new courthouse in 2014. The Appeals and

Appellate Division relocated to 8303 Haven Avenue, Rancho Cucamonga, California 91730.

Call or email at least one week in advance to make an appointment to view exhibits. Transfer of exhibits from one courthouse to another to accommodate the viewer is not permitted, unless ordered by the court.

If a documentary exhibit is voluminous, give advance notice if you plan on making a copying request. The copies may be provided the day the attorney views the exhibit if time allows; otherwise, they can be mailed to the attorney.

San Bernardino County Superior Court does not have the ability to copy media exhibits for counsel. A motion for transmission of exhibits to the Court of Appeal for copying for counsel must be filed in the Court of Appeal.²²

An appointment order and identification are required to view juvenile case exhibits.

(1) **San Bernardino Superior Court:** 247 West 3rd Street, San Bernardino, CA 92415; (909) 521-3349 and (909) 708-8724; (909) 521-3661(fax); emails: dtrice@sb-court.org and jgonzalez@sb-court.org; exhibit custodians – Deanna Rice and Joshua Gonzalez. Hours: 8:00 a.m. to 4:00 p.m., Monday through Friday, including the lunch hour.

²² See ADI [Forms & Samples](#): “Motion to Transmit Exhibits for Copying.”

(2) **Barstow Court:** 235 E. Mountain View Street, Barstow, CA 92311; (760) 718-3714 – exhibit custodian Sarah Mishoe. Hours: 8:00 a.m. to 4:00 p.m., Monday through Friday. Email contact information is not available. Call 24 hours in advance to arrange exhibit review and determine location of exhibits. Exhibits involving active cases have been sent to different courthouses, mainly Victorville Superior Court. All closed cases are stored in Barstow.

(3) **Fontana Court:** 17780 Arrow Route, Fontana, CA 92335; (909) 320-5045; exhibit custodian – Rosa Pedregon. Hours: 7:30 a.m. to 4:00 p.m., Monday through Friday, excluding the lunch hour. It is best to call before 11:30 a.m. or after 2:00 p.m. Email contact information is not available. After May 2014, this court only handles infractions. All criminal exhibits pertaining to cases prior to May 2014 are at the Rancho Cucamonga Superior Court and San Bernardino Superior Court.

(4) **Joshua Tree Court:** 6527 White Feather Rd., Joshua Tree, CA 92252; (760) 974-3046; (760) 974-3033 (fax); emails: vcrane@sb-court.org and dhanna@sb-court.org; exhibit custodians – Vicara Crane and Donna Hanna. Hours: 8:00 a.m. to 4:00 p.m., including the lunch hour, Monday through Friday.

(5) **Juvenile Delinquency Court - Central:** 900 East Gilbert St., San Bernardino, CA 92415; (909) 269-8840 (press 1, then 8); email: nbarnes@sb-court.org; exhibit custodian – Nadia Barnes. Hours: 8:00 a.m. to 4:00 p.m., including the lunch hour, Monday through Friday.

(6) **Juvenile Dependency Court:** 860 E. Gilbert Street, San Bernardino, CA 92415; (909) 269-8840 (press 1, then 8); email: nbarnes@sb-court.org; exhibit custodian – Nadia Barnes. Hours: 8:00 a.m. to 4:00 p.m., including the lunch hour, Monday through Friday.

(7) **Rancho Cucamonga Court:** 8303 N. Haven Ave., Rancho Cucamonga, CA 91730; (909) 285-3507; (909) 285-3606 (fax); exhibit custodian – Manoella Yopez. Hours: 8:00 a.m. to 4:00 p.m., including the lunch hour, Monday through Friday.

Call first to schedule an appointment. The best day to schedule is Friday.

(8) **Victorville Court:** 14455 Civic Dr., Victorville, CA 92392; (760) 269-4863; exhibit custodian – Lori Evans. Backup contact is Andrea Olvera: (760) 269-4805. Hours: 8:00 a.m. to 4:00 p.m., including the lunch hour, Monday through Friday.

The location of exhibits of courts that have closed are as follows:

(a) Big Bear Court: All cases have moved to San Bernardino Superior Court or Victorville.

(b) Chino Court: All cases have moved to Victorville or Barstow.

(c) Needles Court: All cases have moved to Victorville Court.

(d) Redlands Court: All cases have moved to San Bernardino Superior Court.

(e) Twin Peaks Court: All cases have moved to San Bernardino Superior Court.

Inyo County

Only the main courthouse contains felony criminal adult and juvenile case

exhibits: 168 N. Edwards St., Independence, CA 93526; (760) 872-4901; exhibit custodian – Cori Harris. Exhibit requests are to be made directly to the appeals clerk, Gail Shults, at gail.shults@inyocourt.ca.gov. Phone contact is (760) 872-2859. Exhibit viewing hours: 8:00 a.m. to 12:00 and 1:00 p.m. to 4:00 p.m., Monday to Friday.

Contact Ms. Shults three to five days in advance to make an appointment. The exhibit room is located on the top floor. Generally, there is no requirement that only attorneys are allowed to view exhibits. However, only attorneys are allowed to view and obtain a copy of a confidential or sealed exhibit.

There is no limit on copying of regular-sized paper exhibits. Equipment is usually not available to review media exhibits, but one may call ahead and arrangements may be possible. The attorney can bring his or her own equipment. No court order is required to bring the equipment to court. To make a copy of a media exhibit, a superior court order is required.²³ Make sure the order states that there are no costs to appellant because it is an indigent appeal.

Viewing Exhibits in Division Three

Orange County

If the appointed attorney must personally review the exhibits and the attorney is out-of-county, seek pre-approval from ADI.

²³ See footnote 17, *ante*.

Two courts contain exhibits for all felony cases, and one contains the juvenile case exhibits. In adult cases, call the exhibits technician of the Central Justice Center for making arrangements to view all exhibits from both courts. The exhibits from the West Justice Center will be sent to the Central Justice Center for viewing.

(1) **Central Justice Center:** 700 Civic Center Dr. West, Santa Ana, CA 92701; (657) 622-7564 - exhibit custodian Geoff Christison. Hours: 8:00 a.m. to 4:00 p.m., Monday through Friday. Call or e-mail your request for a viewing appointment to CJCExhibits@occourts.org and “cc” gchristison@occourts.org. Include the case number, case name, exhibit numbers and description, and provide alternative dates for viewing. A follow-up telephone call is suggested if there is no reply within a reasonable amount of time. To view, go to the civil division, room 1D110, window 69, which is located on the first floor. Inform the person of the appointment. The appointed attorney will be escorted to the location for viewing the exhibits.

Bring an appointment order and driver’s license. Only the attorney of record is allowed access to confidential or sealed exhibits. If a copy of paper exhibits is needed, the exhibit technician will provide that during the visit up to 15 pages. Otherwise, it will be mailed. If requested, the technician can make arrangements to make a copy of media exhibits, which can be mailed to the attorney. A court order is not required to make a media exhibit that has not been sealed. The exhibit clerk has equipment for reviewing and copying media exhibits.

(2) **Juvenile Court:** 341 City Drive, Rm. C207, 2nd Flr., Orange, CA 92868; (657) 622-5518; appeals clerk – Kristy Gordon. Hours: 8:00 a.m. to 12:30 p.m. and 1:30 p.m. to 4:00 p.m.

Documentary exhibits in juvenile delinquency cases are generally included in the clerk's transcript. For access to nondocumentary exhibits or for file documents, contact the ADI staff attorney or call the court to make an appointment. An appointment order and identification are needed. No juvenile court order is required for the appointed attorney to view exhibits and obtain a copy of paper exhibits. If a copy of paper exhibits is needed, the technician will provide that during the visit, unless there are time constraints. An order is required to obtain a copy of any exhibit from a case in which the attorney is not the current appointed counsel, including a prior case of the client.

Equipment is available to review but not copy a media exhibit. At least two days' notice is needed to examine these type of exhibits. If a copy of a media exhibit is needed, including reprints of photographs, no court order is required, but the attorney should make arrangements with the clerk on a means for making a copy.