

Amicus Brief by Haynes and Boone Appellate Team Helps Secure Win in E-Filing Dispute

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PRACTICES Appellate

The Orange County Bar Association praised an [amicus brief](#) written by Haynes Boone Partner M.C. Sungaila and Associate Marco Pulido for its influential role in securing a court victory in a dispute over access to electronically filed civil lawsuits.

The Haynes Boone team filed the brief on behalf of the OCBA, National Association of Women Lawyers, Family Violence Appellate Project, Legal Aid Society of Orange County, Public Law Center and Veterans Legal Institute in support of a court policy of reviewing newly e-filed civil complaints before making them publicly available, a means of preventing disclosure of litigants' statutorily protected sensitive, confidential information.

Courthouse News Service had sued the Orange County Superior Court clerk for immediate access to e-filed civil complaints, arguing that review delays amounted to denial of access to public records in violation of the First Amendment.

In an [online news item](#), the OCBA wrote:

The brief underscored that allowing Courthouse News Service immediate access to unlimited civil complaints from the moment they are filed endangers the privacy rights of certain litigants, such as tenants in eviction proceedings and victims of domestic violence, stalking, or sexual assault who participate in California's Safe at Home Program.

[On May 9], U.S. District Judge Andrew J. Guilford [partially granted](#) the OC Superior Court's summary judgment motion, holding, among other things, that Courthouse News Service is not entitled to access unlimited civil complaints on the same day the OC Superior Court receives them. Judge Guilford quoted from the OCBA-led amici brief when discussing the indispensable privacy interests at stake here, and observed that, of all 58 counties statewide, Orange County is home to the second highest number of Safe at Home Program participants.

To read the full article, click [here](#).