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JAVIER STAURING

11
12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA

14
15 JAVIER STAURING,

16 Plaintiff,

17 vs.

18 LEROY BACA, in his official capacity as
Sheriff of Los Angeles County; COUNTY
19 OF LOS ANGELES,

20 Defendants.
21
22

CV 03-9215 MRP VBKx
No.

COMPLAINT FOR
DECLARATORY AND
INJUNCTIVE RELIEF

23 INTRODUCTION

24 1. Plaintiff Javier Stauring ("PLAINTIFF STAURING") brings this
25 action against defendants Leroy Baca, in his official capacity as Sheriff of Los
26 Angeles County ("DEFENDANT BACA") and the County of Los Angeles
27 (collectively and individually the "DEFENDANTS") challenging DEFENDANTS'
28

2003 DEC 17 AM 11:43
CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

FILED

1 policy and practice of prohibiting chaplains and other religious volunteers access to
2 the Los Angeles County Jail unless they first agree to waive their First Amendment
3 rights. This is an action for injunctive and declaratory relief brought pursuant to
4 42 U.S.C. §1983 for violations of the United States Constitution.

5 2. DEFENDANTS have barred PLAINTIFF STAURING from
6 ministering to young people incarcerated in the jail by denying access to the jail
7 because PLAINTIFF STAURING provided information to the media about
8 conditions in the jail. DEFENDANTS have also imposed on all chaplains a
9 requirement that, as a condition of access to the inmates they serve, they agree not to
10 provide information about or comment on any aspect of the custody operation of the
11 Sheriff's Department to the press without prior written approval from the
12 Department. In addition to this newly established policy, the Regulations for Jail
13 Chaplains prepared by the Office of Religious and Volunteer Services of the Los
14 Angeles County Sheriff's Department (the "Regulations") and issued on March 7,
15 2001 restrict chaplains' free speech rights. For example, the Regulations include but
16 are not limited to requirements that chaplains not criticize the Sheriff's Department
17 in any way and refrain from authorized disclosure of confidential information.

18 3. PLAINTIFF STAURING contends that both his exclusion and the
19 policies and Regulations violate the First Amendment right to freedom of expression
20 and to free exercise of religion and that the policies and Regulations are invalid, and
21 unconstitutionally vague or overbroad.

22 4. In addition, DEFENDANTS' failure to establish a system for
23 challenging the exclusion of PLAINTIFF STAURING or any other religious advisor
24 from the jail violates his right to due process.

25 PARTIES

26 5. PLAINTIFF STAURING is the director of detention ministries for the
27 Archdiocese of Los Angeles and policy director of Faith Communities for Families
28 and Children, an interfaith group that provides support to families and children in the

1 foster care and juvenile justice systems. He also serves as a lay chaplain to youth
2 incarcerated in juvenile hall and the Los Angeles County Jail. Ministering to these
3 young people is an essential part of his job and of his religious mission. He is a
4 resident of the County of Los Angeles.

5 6. DEFENDANT BACA is the Sheriff of the County of Los Angeles.
6 Pursuant to California Government Code §26605 and Penal Code §4060, he is
7 responsible for the Los Angeles County jail facilities. DEFENDANT BACA
8 develops and administers policies regarding admission of chaplains and other
9 volunteers to the jail as well as their access to inmates. PLAINTIFF STAURING is
10 informed and believes and thereon alleges that DEFENDANT BACA resides in the
11 Central District.

12 7. DEFENDANT LOS ANGELES COUNTY (the "COUNTY") is a
13 local governmental entity, duly authorized and formed under the laws of the State of
14 California. The COUNTY has overall responsibility for the development, funding,
15 and oversight of the jails within its jurisdiction and for the services provided to
16 inmates.

17 JURISDICTION AND VENUE

18 8. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§
19 1331 and 1343. This action for declaratory and injunctive relief is authorized by
20 28 U.S.C. §§ 2201, 2202, and 1343, and by Fed. R. Civ. P. 57 and 65.

21 9. Venue is proper pursuant to 28 U.S.C. § 1391(a) because a substantial
22 part of the events or omissions giving rise to the claims herein occurred in this
23 district, and because DEFENDANTS named herein reside in, maintain offices in, or
24 are responsible for enforcing the laws relevant to this litigation in this district.

25 FACTUAL ALLEGATIONS

26 10. PLAINTIFF STAURING has been a chaplain serving young people
27 incarcerated in Los Angeles County for eight years, first as a volunteer, then as a
28 staff member for the Archdiocese Detention Ministries and, finally, as co-director of

1 the Detention Ministries program.

2 11. In addition to serving as chaplain, PLAINTIFF STAURING is Policy
3 Director of Faith Communities for Families and Children, an interfaith coalition
4 seeking to improve the lives of children in the juvenile justice and foster care
5 system.

6 12. In his capacity as chaplain, PLAINTIFF STAURING ministers to
7 young people who face trial in adult court. Many of these young people have been
8 housed in jails operated by DEFENDANTS.

9 13. PLAINTIFF STAURING also ministers to youth and young adults
10 who have been convicted of crimes and sentenced to the Department of Corrections.
11 From time to time, these young people return to Los Angeles County for further
12 court proceedings and are housed in jails operated by DEFENDANTS.

13 14. PLAINTIFF STAURING believes as a matter of religious principle
14 and vocation that he is required to alleviate the suffering of these young people not
15 only through spiritual guidance, but also through direct assistance.

16 15. In the course of ministering to these young people, PLAINTIFF
17 STAURING became aware of the harsh conditions under which they were confined
18 in the jail. These included isolation, deprivation of education, lack of adequate
19 medical and mental health services, lack of adequate opportunity for physical
20 activity, lack of access to fresh air, and sensory deprivation.

21 16. PLAINTIFF STAURING and others protested these conditions to
22 DEFENDANT BACA and the Board of Supervisors of DEFENDANT COUNTY.
23 They met with DEFENDANT BACA personally and testified in open hearing about
24 these conditions. As a result of his complaints, PLAINTIFF STAURING was barred
25 from the jail briefly in January of 2003. After he protested, his privileges were
26 restored.

27 17. PLAINTIFF STAURING continued to complain about conditions at
28 the jail and to minister to young people housed there. Nonetheless conditions

1 remained the same.

2 18. In June of 2003 the internationally recognized organization Human
3 Rights Watch toured the juvenile wing of the jail and found that conditions there
4 shocked the conscience. Again DEFENDANTS refused to change the conditions
5 under which juveniles were confined.

6 19. On May 24, 2003, two young people incarcerated in the jail attempted
7 suicide. With the permission of these young people and their families PLAINTIFF
8 STAURING spoke about these attempts to other members of the community,
9 including advocacy groups and the media.

10 20. On June 19, 2003, the Los Angeles Times published an article
11 describing conditions in the juvenile wing of the jail. PLAINTIFF STAURING,
12 among others, was quoted in that article. PLAINTIFF STAURING's statements
13 criticized conditions at the jail.

14 21. On the same day, PLAINTIFF STAURING participated in a youth led,
15 non-violent legal protest of conditions in the jail. PLAINTIFF STAURING spoke at
16 that event and was again quoted in the Los Angeles Times coverage which was
17 published on June 20, 2003.

18 22. On June 20, 2003, a member of DEFENDANTS' staff notified
19 PLAINTIFF STAURING that his access to the jail was revoked. He was also
20 notified that the access of a priest, Father Greg Boyle, who had been quoted in the
21 Los Angeles Times article was revoked.

22 23. On June 21, 2003, the Los Angeles Times published an article
23 regarding the revocation of PLAINTIFF STAURING's access and the purported
24 revocation of Father Boyle's access to the jail. DEFENDANTS' employee, Ray
25 Leyva, was quoted as saying that he asked for PLAINTIFF STAURING's pass to be
26 pulled because he was concerned about privacy violations. Mr. Leyva also stated
27 that the County could not permit statements that violate the confidentiality of people
28 in custody.

1 24. **PLAINTIFF STAURING** and other members of the detention
2 ministries staff protested his exclusion from the jail. On July 2, 2003
3 **DEFENDANTS'** employee Mr. Leyva, captain of the jail, met with **PLAINTIFF**
4 **STAURING** and told him that he would not be allowed to return because he had
5 revealed information about inmates and had talked with the media.

6 25. Before this time, **PLAINTIFF STAURING** had never been informed
7 of any jail rules requiring prior approval before communicating with the media.
8 Mr. Leyva informed him that this decision was final. To the best of **PLAINTIFF**
9 **STAURING's** knowledge he had no way to contest this decision.

10 26. On July 2, 2003, **DEFENDANTS'** Sheriff's Department issued a
11 policy that provided "Volunteers and service providers shall obtain written approval
12 from the Chief of Correctional Services Division prior to the release to the press of
13 any information regarding the Sheriff's Departments custody operations and/or
14 confidential inmate information." The policy provided no system of notice or
15 appeals for individuals whose clearance was revoked.

16 27. Neither **DEFENDANT BACA**, Mr. Leyva nor any other representative
17 of the Sheriff's Department or the **COUNTY** has ever contended that **PLAINTIFF**
18 **STAURING** in any way has interfered with the operations of the jail, or presents a
19 threat to the safety or security of the jail.

20 28. During late June and early July, several letters seeking reinstatement of
21 **PLAINTIFF STAURING'S** access to the jail were sent to **DEFENDANT BACA** by
22 organizations and individuals, including California State Senator Gloria Romero, the
23 Human Rights Watch and the Youth Law Center.

24 29. Since July, **PLAINTIFF STAURING** has not been permitted access to
25 the jail or permitted to minister to young people incarcerated there.

26 30. As a result of this policy, **PLAINTIFF STAURING** has been unable to
27 perform his duties as chaplain and young people have been deprived of their
28 relationship with their spiritual advisor.

1 31. On July 8, 2003, the Los Angeles County Board of Supervisors voted
2 to remove all juveniles from the Los Angeles County Jail, citing inhumane
3 conditions revealed by the Los Angeles Times articles.

4 32. Juveniles remain in the Los Angeles County Jail, although the county
5 is in the process of transferring some of them to the California Youth Authority
6 facility in Norwalk.

7 33. In addition, young people returning from the Department of
8 Corrections continue to request, and to be denied, counseling from PLAINTIFF
9 STAURING. Most recently, a young man with whom PLAINTIFF STAURING had
10 an ongoing relationship was housed in the jail for over a week. PLAINTIFF
11 STAURING was unable to speak privately with him or to provide him with
12 counseling and support.

13 34. As a result of his work in the Los Angeles County jail, PLAINTIFF
14 STAURING was awarded Human Right's Watch's annual award, an award he
15 shares with a representative of Liberia and of Egypt.

16 35. PLAINTIFF STAURING seeks to have his access to the jail restored
17 so that he can continue his ministry.

18 36. PLAINTIFF STAURING further seeks to enjoin enforcement of the
19 July policy and the Regulations, including but not limited to, those regarding
20 criticism of the Sheriff's Department and authorized disclosures, and a declaration
21 that prohibiting access to the jail on the basis of lawful communications to the
22 media, criticism of the Sheriff's Department and authorized disclosures is
23 unconstitutional.

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CLAIMS

FIRST CLAIM

Violation Of The Right To Freedom Of Speech And Free Exercise Of Religion

(First Amendment to the United States Constitution)

37. DEFENDANTS, while acting under color of law, have developed and maintained invalid, vague and overbroad customs, policies, and practices that deprive PLAINTIFF STAURING of his constitutional rights in violation of 42 U.S.C. §1983.

38. DEFENDANTS' policies and practices in enforcing a prior approval policy, regulating speech and in denying PLAINTIFF STAURING access to the jail and the right to minister to young people who want his assistance because he communicated with the media without prior approval deny him freedom of speech and the free exercise of religion as guaranteed by the First Amendment to the United States Constitution.

SECOND CLAIM

Violation of Due Process

(Fourteenth Amendment To United States Constitution)

39. DEFENDANTS, while acting under color of law, have developed and maintained invalid, vague and overbroad customs, policies, and practices that deprive PLAINTIFF STAURING of constitutional rights in violation of 42 U.S.C. §1983. By failing to provide PLAINTIFF STAURING and other chaplains and volunteers with clear policies on access to the jail and with a process to contest the denial of access DEFENDANTS have deprived him of due process guaranteed by the Fourteenth Amendment to the United States Constitution.

PRAYER FOR RELIEF

40. Wherefore PLAINTIFF STAURING respectfully prays this Court to

41. Issue an injunction prohibiting DEFENDANTS from:

- 1 (i) Denying him access to the jail;
- 2 (ii) Enforcing a policy that requires chaplains to agree, as a condition of
- 3 gaining access to inmates, to get prior approval of the Sheriff's
- 4 Department before speaking to the media.
- 5 (iii) Enforcing a policy that requires chaplains to refrain from expressing
- 6 opinions that are critical of the Sheriff's Department and the jail
- 7 system.
- 8 (iv) Enforcing a policy that requires chaplains to refrain from statements
- 9 communicating authorized disclosures regarding incarcerated
- 10 individuals.
- 11 (v) Enforcing a policy that prohibits chaplains from revealing any
- 12 information about inmates under any circumstances regardless of
- 13 whether the inmate has consented to or requested release of the
- 14 information
- 15 (vi) Enforcing any policy set forth in the Regulations that unlawfully
- 16 restricts a chaplain's right to free speech.
- 17 (vii) Denying him access to the jail without due process of law.

18 41. Declare that DEFENDANTS' policy of requiring chaplains to agree,
19 as a condition of gaining access to inmates, to get prior approval of the Sheriff's
20 Department before speaking to the media, and prohibiting chaplains from revealing
21 any information about inmates under any circumstances regardless of whether the
22 inmate has consented to or requested release of the information violates the First
23 Amendment as a restriction on freedom of speech.

24 42. Declare that DEFENDANTS' policy requiring chaplains to refrain
25 from criticizing the Sheriff's Department in any way violates the First Amendment
26 as a restriction on freedom of speech.

27 43. Declare that DEFENDANTS' policy requiring chaplains to refrain
28 from making statements including authorized disclosures of information regarding

1 inmates violates the First Amendment as a restriction on freedom of speech.

2 44. Declare that DEFENDANTS' policies set forth in the Regulations that
3 unlawfully restrict speech violate the First Amendment as a restriction on freedom of
4 speech.

5 45. Award PLAINTIFF STAURING attorneys' fees and costs and such
6 other and further relief, as it deems necessary.

7 Dated: December 17, 2003.

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14 By *Krista J. Martinelli*
15 Attorneys for Plaintiff
16 Javier Stauring

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JAVIER STAURING

PLAINTIFF(S)

v.

LEROY BACA, in his official capacity as Sheriff of
Los Angeles County; COUNTY OF LOS ANGELES

DEFENDANT(S)

CASE NUMBER

CV03-9215 MRP *VBK*

SUMMONS

TO: THE ABOVE-NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED and required to file with this court and serve upon plaintiff's attorney
WILLIAM F. ABRAMS, whose address is:

PILLSBURY WINTHROP LLP, 2475 Hanover Street,
Palo Alto, CA 94304-1115

an answer to the complaint amended complaint counterclaim cross-claim
which is herewith served upon you within 20 days after service of this Summons upon you, exclusive
of the day of service. If you fail to do so, judgement by default will be taken against you for the relief
demanded in the complaint.

Clerk, U.S. District Court

Dated: DEC 17 2003

By: *R-L EVER*
Deputy Clerk

(Seat of the Court)

PILLSBURY WINTHROP LLP (650) 233-4500
WILLIAM F. ABRAMS #88805
JASON MCDONELL #115084
KRISTA J. MARTINELLI #197461
2475 Hanover Street
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JAVIER STAURING

PLAINTIFF(S)

v.
LEROY BACA, in his official capacity as Sheriff of
Los Angeles County; COUNTY OF LOS ANGELES

DEFENDANT(S).

CASE NUMBER
CV03-9215 MRP VBKX

SUMMONS

TO: THE ABOVE-NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED and required to file with this court and serve upon plaintiff's attorney
WILLIAM F. ABRAMS, whose address is:

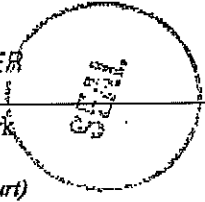
PILLSBURY WINTHROP LLP, 2475 Hanover Street,
Palo Alto, CA 94304-1115

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demanded in the complaint.

Dated: DEC 17 2003

Clerk, U.S. District Court

By: R. L. EYER
Deputy Clerk
(Seal of the Court)



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17 Attorneys for Plaintiff
 18 JAVIER STAURING

19 UNITED STATES DISTRICT COURT
 20 CENTRAL DISTRICT OF CALIFORNIA

21 JAVIER STAURING,
 22 Plaintiff,

23 vs.

24 LEROY BACA, in his official capacity as
 25 Sheriff of Los Angeles County; COUNTY
 26 OF LOS ANGELES,
 27 Defendants.

No. CV03-9215 MRP VBA

PLAINTIFF STAURING'S
 CERTIFICATION AS TO
 INTERESTED PARTIES

FILED
 2003 DEC 17 AM 11:43
 CLERK OF DISTRICT COURT
 CENTRAL DISTRICT OF CALIF.
 LOS ANGELES
 BY _____

1 Pursuant to Local Rule of the United States District Court for the Central District of
2 California 83-1.5, the undersigned, counsel of record for PLAINTIFF JAVIER
3 STAURING, certify that the following listed parties have a direct pecuniary interest
4 in the outcome of this case. These representations are made to enable the Court to
5 evaluate possible disqualification or recusal.

6 Javier Stauring
7 Leroy Baca, in his official capacity
8 The County of Los Angeles

9 Dated: December 17, 2003.

10 PILLSBURY WINTHROP LLP
11 WILLIAM F. ABRAMS
12 JASON MCDONELL
13 KRISTA J. MARTINELLI
14 2475 Hanover Street
15 Palo Alto, CA 94304-1115

16 By 
17 Attorneys for Plaintiff
18 Javier Stauring

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

Pursuant to the Local Rules Governing Duties of Magistrate Judges, the following Magistrate Judge has been designated to hear discovery motions for this case at the discretion of the assigned District Judge:

(VBKx)

- | | |
|--|---|
| <input type="checkbox"/> Paul I. Abrams | <input type="checkbox"/> James W. McMahon |
| <input type="checkbox"/> Robert N. Block | <input type="checkbox"/> Margaret A. Nagle |
| <input type="checkbox"/> Rosalyn M. Chapman | <input type="checkbox"/> Arthur Nakazato |
| <input type="checkbox"/> Charles Eick | <input type="checkbox"/> Fernando M. Olguin |
| <input type="checkbox"/> Marc Goldman | <input type="checkbox"/> Suzanne H. Segal |
| <input type="checkbox"/> Stephen J. Hillman | <input type="checkbox"/> Carolyn Turchin |
| <input type="checkbox"/> Jeffrey W. Johnson | <input type="checkbox"/> Patrick J. Walsh |
| <input checked="" type="checkbox"/> Victor B. Kenton | <input type="checkbox"/> A. J. Wistrich |
| <input type="checkbox"/> Stephen G. Larson | <input type="checkbox"/> Carla Woehrl |
| <input type="checkbox"/> Jennifer T. Lum | <input type="checkbox"/> Ralph Zarefsky |

Upon the filing of a discovery motion, the motion will be presented to the United States District Judge for consideration and may thereafter be referred to the Magistrate Judge for hearing and determination. The Magistrate Judge's initials should be used on all documents filed with the Court so that the case number reads as follows:

CV03- 9215 MRP (VBKx)

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

Western Division
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

Southern Division
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

NOTICE TO COUNSEL

The court has directed that the following rules be specifically called to your attention:

- I. Continuing Obligation to Report Related Cases (Local Rule 83-1.3.3)
- II. Service of Papers and Process (Local Rule 4)
- III. Notice of Right to Consent to disposition of a Civil Case by a United States Magistrate Judge [28 U.S.C. §636 (c) and General Order 194-G].

I. CONTINUING OBLIGATION TO REPORT RELATED CASES

Parties are under the continuing obligation to promptly advise the Court whenever one or more civil actions or proceedings previously commenced and one or more currently filed appear to be related.

Local Rule 83-1.3.3 states: "It shall be the continuing duty of the attorney in any case promptly to bring to the attention of the Court, by the filing of a Notice of Related Case(s) pursuant to Local Rule 83-1.3, all facts which in the opinion of the attorney or party appear relevant to a determination whether such action and one or more pending actions should, under the criteria and procedures set forth in Local Rule 83-1.3, be heard by the same judge."

Local Rule 83-1.2.1. states: "It is not permissible to dismiss and thereafter refile an action for the purpose of obtaining a different judge."

Local Rule 83-1.2.2 provides: Whenever an action is dismissed before judgment and thereafter the same or essentially the same action is refiled, the latter action shall be assigned to the judge to whom the first action was assigned. It shall be the continuing duty of every attorney or party appearing in such a refiled action promptly to bring the prior action to the attention of the Clerk in the Civil Cover Sheet and by filing a Notice of Related Case(s) pursuant to Local Rule 83-1.3.

II. SERVICE OF PAPERS AND PROCESS

Local Rule 4-2 states: "Except as otherwise provided by order of Court, or when required by the treaties or statutes of the United States, process shall not be presented to a United States Marshal for Service." Service of process must be accomplished in accordance with Rule 4 of the Federal Rules of Civil Procedure or in any manner provided by State Law, when applicable. Service upon the United States, an officer or agency thereof, shall be served pursuant to the provisions of FRCP 4 (i). Service should be promptly made; unreasonable delay may result in dismissal of the action under Local Rule 41 and Rule 4(m) of the Federal Rules of Civil Procedure. Proof of service or a waiver of service of summons and complaint must be filed with the court.

III. NOTICE OF RIGHT TO CONSENT TO DISPOSITION OF A CIVIL CASE BY A UNITED STATES MAGISTRATE JUDGE

Pursuant to General Order 194-G, this notice must be served with the Summons or Waiver of Service of Summons and Complaint on all defendants.

In accordance with the provisions of 28 U.S.C. §636(c), you are hereby notified that the full-time United States Magistrate Judges of this District Court, in addition to their other duties, may, upon the consent of all parties to their civil case, conduct any and all proceedings in a civil case, including a jury or non-jury trial, and order the entry of a final judgment. Copies of appropriate consent forms for this purpose (Form number CV-11) are available from the Clerk of Court.

Since Magistrate Judges do not handle felony criminal trials, civil trial dates are not at risk of being preempted by a criminal trial, which normally has priority. Further, in some cases the Magistrate Judge may be able to assign an earlier trial date than a District Judge. There may be other advantages and disadvantages which you will want to consider.

Your decision to consent or not to consent to the disposition of your case by a United States Magistrate Judge is entirely voluntary and should be communicated solely to the clerk by submitting a form CV-11 after it has been signed by all the parties. Please note that the United States District Court Judge must approve the consent if it is submitted after the pretrial conference.

With the exception noted below, the parties may stipulate to the designation of a specific Magistrate Judge to conduct all further proceedings. A space is provided on the consent form for use by parties if they desire to stipulate to a specific Magistrate Judge; otherwise, a Magistrate Judge will be selected at random.

NOTE: The parties may not stipulate to the designation of a specific Magistrate Judge in a case which has already been assigned to a Magistrate Judge for a report and recommendation. If the case has been so assigned, it shall remain assigned to the same Magistrate Judge. (General Order 194-G, and Local Rules Governing Duties of Magistrate Judges 6.6.1).

Any appeal from a judgment of the Magistrate Judge shall be taken to the United States Court of Appeals in the same manner as an appeal from any other judgment of the district court in accordance with 28 U.S.C. §636(c)(3).

**CLERK, UNITED STATE DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE TO COUNSEL

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

OPTICAL SCANNING PROGRAM

The United States District Court for the Central District of California has developed an Optical Scanning Program which allows the Office of the Clerk to transmit copies of civil judgments, orders, and notices to attorneys of record, including notice of entry of these documents, by Internet e-mail or facsimile within 24 hours from the date the document is entered on the docket.

HOW THE PROGRAM WORKS . . .

- Attorneys who enroll in the program consent and agree to receive copies civil judgments, orders, notices, and notice of entry as required by Federal Rule of Civil Procedure 77(d) by Internet e-mail or facsimile.
- Documents are transmitted by Internet e-mail in TIFF format or fax in lieu of mailing copies. It is recommended that a single e-mail address is used for the entire law firm, rather using an attorney's personal e-mail address.
- Only attorneys who have been admitted to practice in the United States District Court, Central District of California who are counsel of record for named parties, and attorneys appearing pro hac vice are eligible to enroll.
- A one-time enrollment is all that is required to receive documents on pending cases in this district, as well as for cases filed in the future. Attorneys are responsible for notifying the clerk's office if their fax number or e-mail address changes to ensure that documents are transmitted to the proper fax number or e-mail address.
- There is no fee for the program.

HOW TO GET ENROLLED . . .

To enroll in this free program, please complete an enrollment form G-76 and return it to the address or fax it to the number indicated on the form. Forms may be obtained through the court's website at www.cacd.uscourts.gov, at the clerk's office, or by calling the Optical Scanning Department at (213) 894-5474.

A list of frequently asked questions concerning the Optical Scanning Program is available on the court's website. If you have any other questions, please call the Optical Scanning Department at (213) 894-5474. We look forward to providing this service to you.

Thank you.

Sherri R. Carter
District Court Executive
and Clerk of Court

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

OPTICAL SCANNING ENROLLMENT/UPDATE FORM

PLEASE PRINT OR TYPE ALL INFORMATION WHEN COMPLETING THIS FORM

Name _____ Telephone Number _____

Address _____

California State Bar Number _____ Out-of-State Attorney _____ Case Number _____ (Required for out-of-state attorneys)

Area of Practice: Civil Criminal

FIRST TIME ENROLLMENT

I consent and agree to receive copies of judgments, orders and other documents by:

Please check one only: FAX _____ or
 e-mail address* _____

transmission and that I understand that service through either of those means will constitute notice of entry as required by F.R.Civ.P. 77(d) and F.R.Crim.P. 49 in lieu of service by mail. I further understand that I must notify the Court within twenty-four (24) hours when I have a change of name, firm association, address, facsimile number or e-mail address to ensure proper service.

UPDATE TO ENROLLMENT

(Complete this section if you previously enrolled in the Optical Scanning Program and wish to update that information ONLY)

Please update the following information:

FAX _____
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Please change my enrollment FROM service of documents by (check one) FAX e-mail TO service by:

FAX _____
 e-mail address* _____

Date: _____

Signature: _____

Mail or fax this completed form to: United States District Court
Central District of California
312 North Spring Street, Room G-8
Los Angeles, California 90012
Attention: Attorney Admission Clerk
Facsimile: (213) 680-7872

* NOTE: Electronic transmission (e-mail) may result in quicker receipt of judgments, orders and other documents than by FAX transmission. However, the e-mail address should be to a computer that is accessed on a daily basis due to the importance and timeliness of documents that are being transmitted from the Court. Internet e-mail is recommended due to its efficiency, however, prior to signing up to receive documents by Internet e-mail, contact your Internet Service Provider and office automation staff to determine whether there are limitations to the size of attachments that may be received. Documents are in TIFF format.

A ONE-TIME ENROLLMENT WILL ENABLE YOU TO RECEIVE JUDGMENTS, ORDERS AND DOCUMENTS IN ALL CASES IN WHICH YOU ARE ATTORNEY OF RECORD.

OPTICAL SCANNING ENROLLMENT/UPDATE FORM