Chapter 3 - Department Rules And Regulations

The following are general rules of conduct for the Court Services Division, any conflict with this Manual and the Department Manual of Policy and Procedures shall be resolved by written memo directed to the Chief, Court Services Division through the chain of command.

• 3-03/010.00 - Deputy Conduct

A deputy's conduct and demeanor in the presence of the public, other peace officers and court attaché represents the degree of professionalism and training of the entire Department. Proper professional conduct, appearance and performance of duties will reflect favorably upon the entire Department, as well as, upon the judiciary and the court system.

• 3-03/015.00 - Bailiff-Judge Relationship

Judges have individual preferences with respect to the procedures in their courtroom. It is imperative that the bailiff discusses with the judge the procedures to be followed upon the initial assignment and periodically thereafter. Regardless of how long a bailiff has served a particular judge, it is to their mutual advantage to review and discuss the bailiff's duties and performance in determining if any changes or additions are necessary.

• 3-03/020.00 - Court Staff Relationship

To maximize the efficiency of a courtroom, the bailiff should maintain a good working relationship with all court staff members. Bailiffs should brief the staff on any unusual circumstances or security problems that may occur on a daily basis. Often the clerk or court reporters are the first line of communication in emergencies. If the clerk is busy when the phone rings during a court session the bailiff is encouraged to answer the phone, if it does not interfere with the security of the courtroom.

• 3-03/025.00 - Public/Press Relations

"To facilitate accomplishment of the Department's objectives, each member shall strive to gain public support and win friendly citizen cooperation in the Department programs and procedures."

"The attitude of each member shall be that of service and courtesy, but not of servility or softness. In non-restrictive situations, the member should be pleasant and personal. On occasions calling for regulation and control, the member shall be firm and impersonal, avoiding an appearance of rudeness.

• 3-03/025.05 - Bailiff/Public Relations

Court Services deputies shall comply with the Department objectives and the following:

- Bailiffs shall always be informative, courteous and maintain an impartial attitude toward all parties.
- Bailiffs shall not give legal advice or discuss the relative merits of any case pending before the court.
- Bailiffs shall not voice opinions in the presence of jurors or witnesses to avoid jeopardizing or influencing the outcome of the case.
- A bailiff's appearance, demeanor and relations with the public and the press can decide the opinion the public forms of all law enforcement agencies and to some extent their opinion of the court system.
- Bailiffs shall not recommend or refer persons appearing in court to any attorney.

• 3-03/025.10 - Press Relations

Employees shall facilitate the work of accredited members of the press by providing them with accurate information according to Department regulations.

Any terms of speech in a press release which cast unfair reflections upon any race or culture, or specifically implies or infers a race or culture shall be avoided unless the term specifically applies and can be corroborated by factual evidence and is not contrary to any other policies of this Department.

Any type of media information shall be limited to general public information only (i.e.; continuances, outcome of case) unless otherwise instructed by his/her supervisor.

The press shall not be used as a means of publicity for personal reasons.

• 3-03/025.15 - Photographing, Recording and Broadcasting in the Courtroom

The following section is designed to give the bailiff an understanding of some of the orders that may come forward in media relations. The information is provided to assist the deputy in understanding the operation. However, specific enforcement of any of the following provisions should be at the directions of the bailiff's supervisor. (Calif. Rules of Court-Rule 980)

Definitions

- "Film or electronic media coverage" means any recording or broadcasting of a court proceeding by the media using television, radio, photographic, or recording equipment.
- "Media" or "media agency" means any person or organization engaging in news gathering or reporting and includes any newspaper, radio or television station or network, news service, magazine, trade paper, in-house publications, professional journal, or other news reporting or news gathering agencies.

Media Coverage

Film or electronic media coverage is allowed only on a written order of the court. The court may refuse, limit or terminate film or electronic media coverage in the interests of justice to protect the rights of the parties and the

dignity of the court, or to assure the orderly conduct of the proceedings. This rule does not otherwise limit or restrict the right of the media to cover and report court proceedings.

Request for order

A request for an order shall be made on a form approved by the Judicial Council (Form MC-500, Request to Conduct Film and Electronic Media Coverage and Order), filed a reasonable time before the portion of the proceeding to be covered. The clerk shall promptly inform the parties of the request. Unless the order states otherwise, it does not apply to proceedings that are continued except for normal recesses, weekends, and holidays.

Prohibited Coverage

Proceedings held in chambers, proceedings closed to the public, and jury selection shall not be photographed, recorded, or broadcast. Conferences between an attorney and client, witness or aide, between attorneys, or between counsel and the court at the bench shall not be recorded or received by sound equipment. Close-up photography of jurors is prohibited.

Equipment and Personnel

The court may require media personnel to demonstrate that proposed equipment comply with this rule. The court may specify the placement of media personnel and equipment to permit reasonable coverage without disruption of the proceedings. Unless

the court, in its discretion and for good cause orders otherwise, the following rules apply:

- One television camera and one still photographer, with not more than two cameras and four lenses, are permitted.
- Equipment shall not produce distracting sound or light. Signal lights or devices to show when equipment is operating shall not be visible. Motorized drives, moving lights, flash attachments, or sudden lighting changes shall not be used.
- Existing courtroom sound and lighting systems shall be used without modification. An order granting permission to modify existing systems is deemed to require that the modifications be installed, maintained, and removed without public expense. Microphones and wiring shall be unobtrusively located in places approved by the court and shall be operated by one person.
- Operators shall not move equipment or enter or leave the courtroom while court is in session, or otherwise cause a distraction.
- Equipment or clothing shall not bear the insignia or marking of a media agency.

Pooling

If more than one media agency of one type wishes to cover a proceeding, they shall file a statement of agreed arrangements. If they are unable to agree, the court may deny film or electronic media coverage by the type of media agency.

Personal Recording Devices

Unless otherwise ordered for cause, inconspicuous personal recording devices may be used by persons in a courtroom to make sound recordings as personal notes of the proceedings. A person proposing to use a recording device shall inform the court in advance. The recordings shall not be used for any purpose other than as personal notes.

Other photographing, recording or broadcasting

Any other photographing, recording or broadcasting of a court proceeding is prohibited unless specifically authorized by the court.

Unauthorized use

Any unauthorized use of photographs, recordings, or transmissions made under this rule is an unlawful interference with the proceeding of the court.

• 3-03/030.00 - General Duties of a Bailiff

The following are the general duties of a bailiff. Specific courts and individual judges may have different requirements:

- The security and protection of the judge and all persons in court.
- The security and care of juries.
- Ordering, transporting and the security of persons in custody.
- Maintaining order during court sessions.
- Opening and adjourning court.
- Serving process when required. (The service of a process should not be done inside the courtroom. If you must serve process on a person, out of custody, ask the person to step outside the courtroom and discreetly serve them the process in the public hallway. If the person is in custody serve them in the lockup area.)
- Inspecting courtrooms and jury rooms for proper and necessary equipment and contraband.
- Responding to emergencies in court and within the courthouse.
- Rendering assistance to the public, attorneys and court employees. Refer to CSDM, 3-03/035.00 - Reporting Time.

• 3-03/035.00 - Reporting Time

All deputies shall report to work at the time and location designated by the branch supervisor. Bailiffs shall report in Class "A" uniform and be prepared to perform certain pre-court duties, i.e., processing in-custody defendants and searching. Deputies shall report to their work location and begin their inspection of facilities and preparation of daily activities. All deputies shall sign in on the appropriate time sheet as designated by

the branch supervisor.

• 3-03/040.00 - Dark Courts

A bailiff, when informed that their court will be closed (dark) for a specific session shall report to the branch supervisor as soon as possible for reassignment. Dark court is also defined as a court whose calendar has been completed for the day.

• 3-03/045.00 - Prohibited Activities for Deputies

While court is in session, the bailiff shall not read or have any material on the desk that is not court related.

All portions of county owned facilities and all portions of facilities leased by or from the county, which areas are not open to the sky, shall be designated as "no smoking" areas. Deputies shall not smoke in any area of a courthouse or in the view of the public while in uniform.

Deputies shall not use county communications equipment for personal, social or unofficial business. This includes telephones, computers, fax machines and radios.

• 3-03/050.00 - Uniforms and Equipment

Deputy personnel shall wear the uniform in a military manner. It shall be clean and pressed at all times. A deputy's appearance reflects not only on the individual but on the Department as a whole. Sworn personnel, not assigned to a lockup position, shall wear a class "A" uniform at all times. The class "B" sweater for female deputies may not be worn in the Court Services Division.

Armed personnel, not assigned to a lockup position, shall wear an approved gun belt with the handgun and all required equipment.