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.