

RULE 2 USE OF RECORDING DEVICES IN COURTHOUSE FACILITIES

(Effective 1/1/2012)

A. COVERAGE BY PROFESSIONAL MEDIA

(Effective 1/1/2012)

This Rule 2A applies to “Media” as defined by California Rules of Court, Rule 1.150(b)(2).

(1) MEDIA REQUEST FOR COVERAGE

The media may request an order permitting media coverage using only the approved Judicial Council of California form MC-500, Media Request to Photograph, Record, or Broadcast, and form MC-510, Order on Media Request to Permit Coverage. Forms are available on the Court’s website.

The forms shall be filed electronically with the Court’s Public Information Officer, or another Court employee designated by the Court Executive Officer, at least five court days before the portion of the proceeding to be covered unless good cause is shown. An electronic signature on the MC-500 by a member of the media is acceptable. A signed file-stamped order will be returned electronically to the requester.

Requests for media coverage are governed by California Rules of Court (CRC) 1.150(e).

(Effective 1/1/2013)

(2) FILMING JURORS

Photographing and filming any juror or summoned prospective juror is prohibited.

(3) MEDIA IN OTHER AREAS OF COURTHOUSE

Unless approved by written order of the Presiding Judge or the Supervising Judge of that courthouse, filming, videotaping, photographing and electronic recording of any kind is not permitted in any other part of the courthouse, including but not limited to, entrances, exits, halls, stairways, escalators and elevators, except for the limited purpose permitted under California Government Code section 68150 to photograph for the purpose of copying court records. Application for permission for media coverage in these areas of the courthouse shall be directed to the Court’s Public Information Officer, or another Court employee designated by the Court Executive Officer, who shall be responsible for coordinating approval or denial by the Presiding Judge or the Supervising Judge of that courthouse. The Court’s Public Information Officer, or another Court employee designated by the Court Executive Officer, shall serve as the onsite manager for media relations and shall use professional judgment in determining appropriateness and permissibility of approved onsite media activities.

(Effective ~~1/1/2013~~ _____)

Cameras and recording devices shall be turned off while being transported in any area of the court unless expressly permitted by court order. Filming, videotaping and photographing of the interior of any courtroom through the glass door windows or through the double doors, or otherwise is prohibited. No recording devices shall be permitted in any courtroom unless the judge hearing a matter within the courtroom has expressly authorized such use in a written order pursuant to CRC 1.150 and this Local Rule 2A.

(Effective 1/1/2013)

B. USE OF RECORDING DEVICES GENERALLY PROHIBITED

This Rule 2B applies to all individuals. Other than “Media” as defined by California Rules of Court, Rule 1.150(b)(2)

(1) COURTHOUSE FACILITIES

Except for the limited purpose permitted under California Government Code section 68150 to photograph for the purpose of copying court records, ~~Any~~ and all “photographing” and/or

“recording” and/or “broadcasting” as defined by California Rules of Court, Rule 1.150(b) of people, things, conversations, or proceedings is strictly prohibited in any courthouse facility, including but not limited to stairways, elevators, waiting areas, hallways, entrances security screening stations, service areas, through windows, through doors, and with respect to any other accessible areas of courthouse facilities, whether access was intended or not, absent written order of the Supervising Judge of the specific courthouse facility. Any device that appears capable of photographing, recording, or broadcasting is subject to confiscation.

(Effective _____)

(2) COURT PROCEEDINGS

a. Court proceedings may not be photographed, recorded, or broadcast, as defined by California Rules of Court, Rule 1.150(b), without express permission of the Court. Use of a recording device or broadcasting device of any type is not permitted in any courtroom unless the judge hearing a matter within the courtroom has expressly authorized the use of such device in a written order, or oral order on the record made during the hearing issue. Except upon approval by the judicial officer hearing the matter, all cell phones and other personal communication devices shall be turned off before entering the courtroom and stored out of sight. Any cell phone or personal communication device or device that appears capable of photographing, recording, or broadcasting which is visually observed in the courtroom is subject to confiscation.

(Effective 7/1/2017)

b. Courts have inherent supervisory or administrative duties to maintain orderly conduct of judicial proceedings. In that effort, Court security should warn all persons entering the courtroom to turn off all electronic devices. If a person is suspected of violating this rule, a further direct verbal warning should be given to the individual. In appropriate circumstances, court security may exercise its discretion to temporarily take custody of the electronic device until the person exits the court facility. If court security concludes that a recording has already occurred in violation of this rule or if the nature of the recording otherwise could jeopardize security of the facility, the safety of parties, witnesses, court personnel or judicial officers, court security may request that the recording be erased by the owner or may ask the owner for permission to access the device. If the owner refuses to erase the material or provide access, the deputy is authorized to temporarily retain the recording device while determining whether to seek a search warrant. If no application for a warrant is made or a warrant is declined, the device will be promptly returned to the owner. All applicable laws pertaining to search warrants shall apply. If the warrant issues, court security will retain the device as directed in the warrant and/or Penal Code section 1536. If the deputy finds probable cause to conclude that a violation of a court order or a crime has been committed, the matter shall be processed for possible arrest.

(Effective 7/1/2017)

C. VIOLATIONS

Any violation of this Local Rule or an order made under this Local Rule, or of California Rule of Court, Rule 1.150, is an unlawful interference with court proceedings and may be the basis for an order terminating media coverage, a citation for contempt of court, or an order imposing monetary or other sanctions as provided by law.

(Effective 1/1/2012)