Chapter 4

Media

Rule 180. Photographing, Recording and Broadcasting in Court

The procedures set forth herein have been developed for the protection of all parties to ensure the secure and efficient handling of cases and events in all justice centers in the Superior Court, County of Orange. No video recording, still photography, or electronic recording is permitted in or on the grounds of the justice centers except as permitted in California Rules of Court, rule 1.150, and this rule. Nothing in this rule is intended to create a public forum in or on the grounds of the justice centers. Violation of California Rule of Court rule 1.150 or this rule may result in termination of media coverage, contempt of court proceedings, and/or monetary sanctions as provided by law.

A. Definitions

1. "Media coverage" means any video recording, photographing, audio recording, or broadcasting of court proceedings by the media using television, radio, photographic or recording equipment, or other similar types of technology. Rule 1.150 (b)(1), California Rules of Court.

2. "Media" 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 publication, professional journal, other news-reporting or news-gathering agency. Rule 1.150(b)(2), California Rules of Court.

3. "Media Event" means any photographing or electronic recording of news conferences or statements to members of the media and the general public occurring outside of a courtroom but on property belonging to the Orange County Superior Court.

4. "Court" means the courtroom at issue, the courthouse, the justice center, and its entrances and exits. Rule 1.150(b)(3), California Rules of Court

5. "Judge" includes any judicial officer or officers, including commissioners, referees, and temporary judges, assigned to or presiding at the proceeding. Rule 1.150(b)(4), California Rules of Court

B. Requests for Coverage

With respect to courtroom proceedings, requests for any type of video, still photography, or audio coverage, including pool cameras, must be made in compliance with California Rules of Court, rule 1.150(e)(1), and submitted to the judicial officer assigned to hear the case on Judicial Council forms MC-500 "Media Request to Photograph, Record or Broadcast" and MC-510 "Order on Media Request to Permit Coverage." A copy of the request also must be submitted to the

Court's Public Information Office. All media coverage of courtroom proceedings must comply with the provisions of rule 1.150.

C. Limitation on Coverage

The following limitations apply at all justice centers unless an exception is permitted by written judicial order.

1. Except as provided in this local rule and the California Rules of Court, video recording, photographing, or electronic recording by the media and general public is not permitted in any part of the justice center, including, but not limited to lobby areas, cafeterias, halls, stairs, escalators, and elevators.

2. Video recording, photographing, or electronic recording devices must be turned off while transporting them in any area of the Court.

3. All audible electronic devices must be turned off when they are in courtrooms.

4. Any photography of the interior of a courtroom through glass door windows or from the area between the double doors at the entrance of a courtroom is prohibited.

5. When photography, audio, and/or video recording is not permitted by the judicial officer assigned to hear the case, electronic recording devices may be taken into the courtroom only if they are not turned on and remain inside an enclosed case, bag, or other container, unless otherwise specifically prohibited by the judicial officer assigned to hear the case.

6. Special policy for Lamoreaux Justice Center: In the event cameras or any recording devices are permitted in Lamoreaux Justice Center, advance authorization from the Juvenile Court Presiding Judge or the Family Law Supervising Judge is needed prior to bringing such devices into the justice center, and Media must check in with Court security at the building entrance.

D. Photographing Publicly Available Documents and Exhibits

With the exception of Juvenile court records and trial exhibits, this rule does not prohibit the use of cameras or other photographic equipment, provided the devices are used solely for the purpose of photographing case file documents that are not otherwise confidential or sealed and are available in the clerk's office or from court kiosks.

1. *Trial exhibits:*
Trial exhibits are court records that are presumed to be open to public inspection. California Rule of Court Rule 2.550(b) and (c). However, access to all court records is subject to reasonable time, place and manner restrictions necessary to protect the safety and integrity of exhibits, minimize inspection from interfering with the court's need for access to the exhibits or the orderly operation of the clerk's office.

a. Requests to inspect or reproduce trial exhibits must be made to the judicial officer who is presiding over the proceeding, or who previously presided over the proceeding, or if the judicial officer is unavailable, to the supervising judge of the panel and/or justice center where the trial was heard.

b. Unless access to the particular exhibit is otherwise precluded by law or the exhibit is subject to a court order to mark the exhibit as confidential or to seal it, access should be granted subject to a court order establishing such conditions as are necessary to protect the safety and integrity of the exhibits, and to minimize inspection from interfering with the court's need for access to the exhibits or the orderly operation of the clerk's office. Such conditions may include notice of the request and opportunity to be heard by the attorneys and/or parties to the action or proceeding, and payment of any costs determined by the court to be necessary to protect the safety and integrity of the exhibits.

c. A court order granting access to particular exhibits may also authorize an individual to obtain copies of particular exhibits using a specified method of reproduction (e.g. laptop computer, digital camera, document scanner, cell phone, etc.). Any equipment authorized for use must be in good working condition and must not compromise the integrity or safety of the exhibits. If an exhibit is damaged in the reproduction process, the individual shall prepare an affidavit specifically describing that event and resulting damage. An original affidavit shall be filed within five (5) days of the occurrence of the damage.

d. A copy of the mandatory use Application and Order for Viewing and/or Photocopying or Photographing of Trial Exhibits form can be found here (insert link). It is also available on the Court's website at www.occourts.org under the heading Forms & Filing.

~~D.~~ E. Areas in Court Facilities where Media Events are Authorized

Media Events outside of the courtrooms, but within a justice center, are permitted only if the Media Event concerns an Orange County Superior Court case proceeding that occurred, is occurring, or will be occurring at that justice center on the same day as the Media Event, and only if one or more of the parties to the proceeding, their attorneys, a victim, and/or the victim's family, is actively participating in the Media Event. No other Media Events are permitted within any justice center. Media Events may not include recording or broadcasting the likeness of prospective jurors, current jurors, or jurors

excused from the proceeding. Media Events at the various justice centers must be held at the following specific locations only:

1. Central Justice Center - 700 Civic Center Drive West, Santa Ana
Northeast corner of the second floor lobby area near the front windows and escalators.

2. Community Court - 909 North Main Street, Santa Ana
Lobby area outside courtrooms.

3. Complex Civil Litigation Facility - 751 W. Santa Ana Blvd., Santa Ana
Northwest corner of the building, outside Dept. CX101.

4. Harbor Justice Center - Newport Beach Facility - 4601 Jamboree Road, Newport Beach
Across from Room 108 on the first floor, near the glass doors in the center of the building.

5. Lamoreaux Justice Center - 341 The City Drive, Orange
Due to the privacy concerns and confidential nature of juvenile matters, the front quad exterior of the building has been designated for media interviews. For security purposes, these interviews must be conducted a minimum of 90 feet from the courthouse entrance.

6. North Justice Center - 1275 North Berkeley, Fullerton
Exterior steps of main entrance to the Central Wing (during inclement weather, use the area across from Dept. 9 at the top of the stairs).

7. West Justice Center - 8141 13th Street, Westminster
The main lobby in the front of the building.

~~E~~E. F. Media Events Outside Justice Center Facilities but on Court Grounds

All Media Events occurring outside a justice center but on Orange County Superior Court property must be conducted a minimum of 90 feet from any courthouse entrance or exit. At no time shall a Media Event be conducted in a manner that obstructs pedestrian or vehicular traffic or impedes an individual from entering or exiting the justice center.

~~F~~F. G. Non-case Related Requests to Film in Justice Center Facilities

Special requests for video recording or photographing empty courtrooms, jury rooms or employee work areas must be made in writing and submitted to the Court's Public Information Office before the proposed video recording or photographing is to occur. The request should be made a minimum of five calendar days prior to the requested date, and include the amount of time needed to complete the activity. The request must also be accompanied by a completed copy of the Third Party Use of Court Facilities Request Form and a Certificate of Liability Insurance, both of which may be obtained by sending an email to thirdpartyuserequest@occourts.org. The request must be approved by the Presiding Judge.

~~G~~~~G.~~ H. Law Enforcement Use of Body-Worn Cameras

Law enforcement personnel with body-worn cameras shall not activate the recording function of the cameras unless involved in law enforcement activities in the courthouse. For purposes of this paragraph, "law enforcement activities" does not include being present in connection with a pending matter as a witness or to assist the prosecution. In addition to the foregoing, if law enforcement personnel are present in a courthouse where juvenile matters are heard, they must comply with Welfare and Institutions Code section 827 and California Rules of Court, rule 5.552.

~~H~~~~H.~~ I. Ceremonial Events

Unless the Court orders otherwise, this rule does not prohibit photography or recording of ceremonial events held by the court, a governmental agency or bar association, mock trial competitions, weddings, adoptions or a lecture or training that is held in a courtroom when court is not in session.

(Revised effective January 1, 2019)