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FACT SHEET

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Cameras in California Courts

The California Rules of Court specify the conditions under which electronic media coverage is permitted in state courtrooms. As amended in 1997 and 2006, the "cameras rule" leaves to judges' discretion whether to permit the use of cameras and other electronic equipment in courtrooms and requires judges to consider 18 factors in deciding such requests. Commonly known as rule 980 since it was first adopted on a permanent basis in 1984, the cameras rule has been renumbered as rule 1.150, effective January 1, 2007, due to the reorganization of the California Rules of Court.

History

The Judicial Council adopted its first version of rule 980 on November 9, 1965. The rule prohibited photographing, recording, and broadcasting in the courtroom during sessions or recesses, but made exceptions for media coverage during ceremonial proceedings and before and after daily court sessions. In 1966, at the request of the Assembly Interim Committee on Fair Trial and Free Press, the council adopted temporary rule 981, which permitted a limited number of experiments in courtroom photography in connection with the committee's studies.

In 1979, the Special Committee on the Courts and the Media was appointed to consider the question of media coverage of court proceedings. The council adopted an experimental rule specifying a trial period of media recording and photographic coverage beginning on July 1, 1980, after which the effects of this coverage would be evaluated. This study culminated in the adoption of new rule 980 (Photographing, recording, and broadcasting in court), replacing the old rule 980 along with several other rules. The new rule, which took effect on July 1, 1984, allowed media coverage of criminal and civil courtroom proceedings at the trial and appellate levels.

1997 Amendment

In October 1995, then–Chief Justice Malcolm M. Lucas appointed the Task Force on Photographing, Recording, and Broadcasting in the Courtroom and charged it with evaluating:

- Whether rule 980 should be amended;
- Whether the criteria to be applied by the court in deciding requests to use recording and photographic equipment in courtrooms should be revised;
- Whether media coverage should be prohibited in all state court proceedings, in certain types of proceedings, or in certain portions of proceedings; and
- Whether there should be an expansion of the circumstances under which media coverage of state court proceedings is permitted and of the criteria for the operation of cameras and other electronic recording equipment, including pool cameras, in courtrooms.

The task force gave thorough consideration to the successes and shortcomings of the rule and garnered the input of the bench, the bar, the public, and news media organizations. The task force based its draft recommendations on extensive research that included a statewide survey of judges, public defenders, and prosecutors; comments from many bar groups; a public hearing on the issue; and scores of letters, telephone calls, reports, newspaper and journal articles, previously conducted studies, and other information.

Provisions of Current Rule

After considering the final report and recommendations of the task force, the Judicial Council on May 17, 1996, voted to retain judicial discretion over the use of cameras and other voice- and image-recording devices in state courts, and rule 980 was amended effective January 1, 1997. The rule was additionally amended effective January 1, 2006. The current rule:

- Leaves to judges' discretion the use of cameras in all areas, including all pretrial hearings in criminal cases;
- Prohibits camera coverage of jury selection, jurors, and spectators in the courtroom;
- Lists 18 factors a judge must consider in ruling on a request for camera coverage—including the importance of maintaining public access to the courtroom,

preserving the privacy rights of the participants in the proceedings, and the effect of camera coverage on counsel's ability to select an unbiased jury;

- Continues to ban cameras at proceedings held in chambers or closed to the public; conferences between an attorney and a client, witness, or aide or between attorneys; and conferences between counsel and the judge at the bench; and
- Since January 1, 2006, includes new digital technologies, such as camera cell phones, in the restrictions on the use of photographing, recording, and broadcasting in state courtrooms and makes these technologies subject to a judicial order permitting their use.

Effects of the Cameras Rule

Data collected by the Administrative Office of the Courts after the 1984 enactment of rule 980 indicate that:

- Courts grant the majority of requests for media coverage.
- Courts are more likely to grant a request for coverage if the media adhere to the five-day notice rule contained in form MC-500, *Media Request to Photograph, Record, or Broadcast.*
- The most numerous requests for media coverage have been for arraignments. The second most numerous have been for verdicts and sentencing.
- Neither the type of media equipment nor the type of proceeding for which coverage is requested seems to have an effect on whether the court will grant permission.

Contact:
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Additional resources:

Reports and publications, including the guidebook *Photographing, Recording, and Broadcasting in the Courtroom: Guidelines for Judicial Officers,* which explains the latest measures governing media presence in the courtroom, www.courts.ca.gov/10018.htm, or contact the California Courts Infoline, by phone at 415-865-7738 (within California) or 800-900-5980.