

**Bench-Bar-Media Committee  
Business Meeting**

**Administrative Office of the Courts  
Third Floor, Redwood Room A/B  
455 Golden Gate Avenue  
San Francisco, California 94102-3688**

**May 12, 2009**

**Minutes**

**Members Present:** Hon. Judith D. McConnell (*Chair for this meeting*); Mr. Ralph Alldredge (*by phone*); Ms. Cristina C. Arguedas; Mr. Anthony P. Capozzi; Mr. Ed Chapuis; Mr. Steve Cooley (*by phone*); Ms. Karen Dalton; Hon. Peter Paul Espinoza; Dr. Félix Gutiérrez; Mr. Rex S. Heinke; Hon. Jamie A. Jacobs-May; Mr. David Lauter; Mr. Greg Moran; Mr. Royal F. Oakes; Mr. Ronald G. Overholt; Mr. John Raess; Ms. Kelli L. Sager; Mr. Peter Scheer; Mr. Stan Statham; and Mr. William C. Vickrey.

Mr. Devallis Rutledge (Counsel to the District Attorney, District Attorney's Office, County of Los Angeles) participated with Mr. Steve Cooley by phone.

**Members Absent:** Hon. Carlos R. Moreno (Chair); Mr. John Fitton; and Hon. William J. Murray, Jr.

**Staff Present:** Mr. Peter Allen and Ms. Claudia Ortega.

**Additional Attendees:** Administrative Office of the Courts (AOC) staff Mr. Philip Carrizosa, Ms. Lynn Holton, Mr. Kenneth L. Kann, Ms. Leanne Kozak, Mr. Patrick O'Donnell, and Ms. Linda Theuriet.

**Item 1            Welcome and Introduction of Members**

The meeting was called to order at 10:00 a.m. by Justice Judith McConnell who was asked to chair this meeting by committee chair, Justice Carlos Moreno. Justice Moreno was not able to chair this meeting as he was being honored in Sacramento for his work as chair of the California Blue Ribbon Commission on Children in Foster Care.

Justice McConnell welcomed the members. She stated that this is a public meeting and, therefore, discussions were not off the record. She also reminded the members that as the committee discussed issues, judges cannot comment on the specifics of pending cases.

Committee members and staff introduced themselves. Justice McConnell specifically welcomed the seven new committee members to their first Bench-Bar-Media Committee meeting.

## **Item 2            Role of Judicial Council Committees and the Rule-Making Process**

Mr. Kenneth Kann provided an overview of the Judicial Council's governance structure. Mr. Kann is the Director of the AOC's Executive Office Programs Division, which works closely with the council's numerous advisory groups and directly supports the business meetings of the council. Mr. Kann explained that the Judicial Council is a constitutional body that establishes direction and sets priorities for the continued improvement of the California court system. To set policy, the council considers the recommendations from its standing advisory committees and task forces.

The Bench-Bar-Media Committee functions as a task force because it has a limited term and a specific purpose. This committee's primary role is to explore issues and propose recommendations for the council's consideration. If the council approves the recommendations, the appropriate implementation steps would then be taken by the AOC. For example, a recommendation to add a new California Rule of Court or to amend a rule typically takes about nine months to come to fruition. First, the proposed new rule or amendment is referred to an appropriate advisory committee or task force for review and comment. Second, the proposed new rule or amendment goes out for a 60 day public comment period. Third, the advisory committee or task force reviews comments and possibly modifies the proposal. Fourth, the proposed new rule or amendment is submitted to the council for review and action.

Mr. Ron Overholt (AOC Chief Deputy Director) added that some of the recommendations by the Commission for Impartial Courts parallel the issues being explored by this committee. The commission's draft report is currently out for public comment.

Ms. Leanne Kozak (Senior Communications Specialist, AOC Office of Communications) developed a DVD that illustrates the significant number of high-profile cases that have taken place in California courts over the last several years. Ms. Kozak played this DVD for the committee.

## **Item 3            Update by the Educational Programming Working Group**

In the absence of working group lead, Judge William J. Murray, Jr., Judge Jamie Jacobs-May provided an update on the progress and developing recommendations of the Educational Programming Working Group. She referred the committee to the document titled "Educational Programming Working Group – Tentative Recommendations and Summary of the Working Group's Discussion" (dated 05-06-09). (To facilitate future working group discussions, staff has updated this document so that it includes the comments and suggestions made during this meeting. Please refer to Attachment 1.)

**Item 4            Update by the Conflict Resolution Working Group**

Working group lead, Justice McConnell, provided an update on the discussions of the Conflict Resolution Working Group. She referred the committee to the document titled “Conflict Resolution Working Group – Tentative Recommendations and Summary of the Working Group’s Discussion” (dated 05-08-09). (To facilitate future working group discussions, staff has updated this document so that it includes the comments and suggestions made during this meeting. Please refer to Attachment 2.)

**Item 5            Update by the Access to Court Proceedings Working Group**

Justice McConnell is temporarily filling in as working group lead for Mr. Ralph Alldredge. She provided an update concerning the discussions and evolving recommendations of the Access to Court Proceedings Working Group. She referred the committee members to the document titled “Access to Court Proceedings Working Group – Tentative Recommendations and Summary of the Working Group’s Discussion” (dated 05-07-09). (To facilitate future working group discussions, staff has updated this document so that it includes the comments and suggestions made during this meeting. Please refer to Attachment 3.)

Justice Moreno briefly joined the meeting by phone. He thanked the members for the time and energy they have devoted to this committee. He conveyed that he looked forward to hearing staff’s update concerning this meeting and joining the members at the next business meeting.

**Item 6            Working with the Media on High-Profile Cases – The Recent Experiences of the Superior Courts of Alameda, San Joaquin, and Yolo Counties**

Because of time constraints, this subject was not addressed.

**Item 7            Revised Schedule and Next Steps**

The committee briefly reviewed the document titled “Key Dates” (dated 05-11-09) and discussed possible dates for the next committee meeting. Mr. Peter Allen stated that staff would contact the members by e-mail to determine their availability for possible meeting dates.

**Item 8            Adjournment**

Justice McConnell thanked the committee members for their participation and adjourned the meeting at 2:00 p.m.

## Attachment 1

### **Bench-Bar-Media Committee Educational Programming Working Group Tentative Recommendations**

#### **Working Group Discussion and Subsequent Committee Discussion on May 12, 2009**

##### *Educational Content and Programs*

- 1. Facilitate creation of educational content and programs to enhance relationships and communication among the bench, bar, media, court staff, and the public. Educational content and programs will include regional academies, local committees, and online support materials.**

Working Group Discussion: The creation of educational content and programs is the main focus of the working group. The development of regional bench-bar-media academies according to regional media markets is a key element. Academies would be a two-way street by which the courts would provide information to the media within media markets, and the media would be given the opportunity to provide local judges and court staff with training that will give them insight into the press's concerns and needs. Specifics on how these academies should be formed and the training they will provide are matters for the working group's future exploration. However, the proposal to create regional academies will be a major recommendation of this group.

The draft *Commission for Impartial Courts: Final Report* sets forth recommendations which coincide with recommendations of this group.

Committee Discussion on May 12, 2009: Educational content and programs should also be provided to the appellate courts. Also, the academies and/or other educational efforts should target the four major media markets in California, which make up 90% of the state's media market – the Bay Area, Los Angeles, San Diego, and Sacramento.

- 2. Develop training for judges and justices on how to present clearly the meaning or substance of court decisions in a way that can be easily grasped by the media.**

Working Group Discussion: There is a need for judicial officers to better summarize and explain the court's decision (*at the beginning of an opinion*) in plain English for the benefit of the public and the press. A well-explained court decision is an opportunity to educate the public as to the decision-making process of a judge and lessen complaints from the press. The judicial officer can explain that the laws applied are those imposed by the Legislature and are not arbitrarily

decided. The language of this recommendation is the same as one recommended by the Commission for Impartial Courts.

Training should be included on a consistent basis in judicial education through the AOC Education Division and new judge orientation programs at the Judicial College.

This has been a controversial issue. Judges disagree on whether they should tailor how they write their opinions for the press or broad public.

Committee Discussion on May 12, 2009: A judicial member stated that if judges do not distill their opinions, reporters will do so when under time constraints. It is now especially important for judges to provide a clear synopsis or “CliffsNotes” summary as the media industry sheds jobs. As part of their outreach activities, appellate courts publish summaries of cases for high school students. This should be done for the public and media. Doing so would increase understanding of judicial decision-making and confidence in the courts.

### *Explanation of Legal Terminology*

#### **3. Post glossaries or explanations of legal terminology to trial court Web sites for the benefit of the media and broad public.**

Working Group Discussion: A plethora of online materials currently exists, including a Press Center link on the public California Courts Web site (<http://www.courtinfo.ca.gov/presscenter/>). This Press Center link contains a glossary of legal terms. Available resources need to be reviewed and consolidated for easy access by users. Their availability also needs to be advertised via various channels, such as at the future media academies.

Committee Discussion on May 12, 2009: The committee approved of this recommendation. Members representing the media also pointed out that the growing trend is for reporters and the public to seek information online. The press would receive the information it seeks instantly, and the number of phone calls by the public and persons in the court would also significantly drop if more information was placed online.

### *Additional Online Training Materials for Court Staff*

#### **4. Post media-related training materials for the courts on a secure internal online site, such as Serranus.**

Working Group Discussion: There is a need to provide judicial officers and court staff with greater resources to cultivate and maintain enhanced relationships with the media. Serranus was suggested as an ideal location. Serranus is a password protected, internal Web site for judges and court staff.

Committee Discussion on May 12, 2009: There was very little discussion on this recommendation, but the committee indicated it agrees with this proposal.

## *Media Hotline*

- 5. Create a hotline for the media to ask and receive explanations of fundamental legal or procedural questions.**

Working Group Discussion: The feasibility of this concept will require further research and discussion.

Committee Discussion on May 12, 2009: The committee did not discuss this recommendation.

## *Educating Court Staff and Security Personnel on the Law Regarding Access to Court Records and Proceedings*

- 6. Train court staff and security personnel on the law regarding media and public access to court records and proceedings.**

Working Group Discussion: Regularly educating court staff and security personnel on the law concerning media and public access to court records and proceedings is important. Complaints are often made by the media as to the lack of knowledge by front-line staff (i.e., filing clerks, bailiffs, court clerks) regarding pertinent rules, statutes, and cases. Court staff is often uncertain on how to just interact with the media and respond to its inquiries.

Committee Discussion on May 12, 2009: This is a high priority issue for the media members, who say court personnel have blocked access to court records because they were not aware of the rules. These committee members recommend that court personnel and security be required to have these rules on hand so that they can refer to them when an issue arises.

## Attachment 2

### **Bench-Bar-Media Committee Conflict Resolution Working Group Tentative Recommendation**

#### **Working Group Discussion and Subsequent Committee Discussion on May 12, 2009**

##### *Bench-Bar-Media Liaison Plan*

- 7. Develop a Bench-Bar-Media Liaison Plan (Fire Brigade) which can be called into action whenever a court, attorney, or media representative feels it would be helpful in resolving a free press-free trial dispute that has arisen during a legal proceeding.**

Working Group Discussion: The state of Washington has implemented a highly effective “fire brigade” to deal with high-profile cases. Brigade judges work with the media, other judges, and attorneys to sort out conflicts regarding courtroom coverage.

Currently in California, a high-profile case is handled through both structured and informal means. Depending on the court, the judge could enlist the assistance of the court’s public information officer (PIO), discuss the issue with court administration, and/or contact another judge with experience in this area for advice.

The working group’s draft liaison plan is attached.

Committee Discussion on May 12, 2009: The committee discussed the fact that access rules must balance a fair trial with the right of the public to know. Criminal defendants and parties to a civil case can be severely affected by media attention.

It was noted that it is important to have a discussion with the presiding judge of a high-profile case before he/she renders a decision regarding access to the case. One member had concerns about private conversations between judges regarding cases. The judicial members explained that judges regularly discuss cases and the law with each other.

Regarding the liaison plan, it was agreed that a judge with established respect and authority needs to lead the efforts of each liaison group. It is especially important as the advice given regarding a case needs to be between judges. Unsolicited advice could be a problem for some judges.

The members preferred the appellate district structure because the proposed AOC regional office structure includes two of California’s largest media markets (San Diego and Los Angeles) in the

same region. It could prove problematic for the regional liaison to assist two large courts in two major media markets at the same time.

Members agreed that the plan should be modified to include how the liaison group can act proactively prior to any conflict or issue.

It was suggested that perhaps a staff member from the AOC should be responsible for proactively reaching out to the court's court executive officer, presiding judge, and/or judge presiding over a possible access issue to offer assistance.

The committee briefly discussed the need to create *regional* public information officer (PIO) positions to assist courts that do not have a PIO on their staff. The committee will need to explore this issue further.

Staff conveyed that the *Media Handbook for California Court Professionals* (published by the Judicial Council in 2007) provides advice to court PIOs or other court staff on a myriad of press issues. The committee discussed the need for a much shorter document tailored for judges presiding over a high-profile case. Justice McConnell asked that a working group discuss the development of such a document and Judge Jacobs-May stated that the Educational Programming Working Group would follow-up on this request.

<p><i>ACTION</i> – The Educational Programming Working Group will develop recommended content for an extremely brief document and training that advise judges on the types of press issues and questions to anticipate from high-profile cases. The document and training will also address how to work effectively with the media during these unique cases.</p>
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**Draft Proposal**  
**Outline of the Bench-Bar-Media Liaison Plan**  
**(Date 05-08-09)**

**Purpose**

The Bench-Bar-Media Liaison Plan is called into action whenever a court, attorney, or media representative feels it could be helpful in resolving a free press-fair trial dispute that has arisen during a legal proceeding. The goal of the plan is to create an effective mechanism for resolving such disagreements quickly and amicably, allow each party to be heard, and promote better working relationships among the bench, bar, and news media. The Liaison Team or member could be particularly helpful to a judge facing a high-profile trial.

**Those Who Benefit from the Plan**

The Bench-Bar-Media (BBM) Liaison Plan and liaison teams would be readily available to assist any member of the judiciary, bar, or news media in sorting out conflicts regarding courtroom coverage.

**Types of Conflict (Examples)**

- Judicial officer neglects to publicly articulate the reasons for restricting access
- Ban on media coverage of a particular proceeding
- Obscure local procedures regarding access to documents relating to a judicial action

**Structure**

This plan would be organized regionally because of the size of the state. Two regional structures concurrently exist for California's judicial branch and serve as possible organizational models for this plan. These regional structures are:

1. Regional Offices – The state is divided into three actively operational trial court regions supported by regional offices of the Administrative Office of the Courts (AOC). The regional offices were created to provide greater support services to the trial courts. All presiding judges and court executive officers within the regions meet regularly to discuss varying issues. Each of the regional offices is overseen by an AOC Regional Administrative Director. The AOC regions are:
  - Bay Area/Northern Coastal Region: Includes the sixteen counties of Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma.
  - Northern/Central Region: Includes the thirty-one counties of Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Fresno, Glenn, Kings, Lassen, Madera, Mariposa, Merced, Modoc, Mono, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba.
  - Southern Region: Includes the eleven counties of Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura.
2. Appellate Districts – The state is divided into the following six appellate districts:

- First District: Encompasses Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Francisco, San Mateo, Solano, and Sonoma counties.
- Second District: Encompasses Los Angeles, San Luis Obispo, Santa Barbara, and Ventura counties.
- Third District: Encompasses Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lassen, Modoc, Mono, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity, Yolo, and Yuba counties.
- Fourth District: Encompasses Imperial, Inyo, Orange, Riverside, San Bernardino and San Diego counties.
- Fifth District: Encompasses Fresno, Kern, Kings, Madera, Mariposa, Merced, Stanislaus, Tulare, and Tuolumne counties.
- Sixth District: Encompasses Monterey, San Benito, Santa Clara, and Santa Cruz counties.

### **Liaison Membership Composition**

Suggested liaison team members for each of the regions include:

- Member of the Bench-Bar-Media Committee
- Judicial officer within the region with high-profile trial experience
- Member of the State Bar practicing in the region
- AOC Regional Administrative Director
- AOC Office of Communications staff and/or Public Information Officer (PIO)

### **Call to Action**

Two levels of support in a high-profile trial are considered:

1. *Easily Solvable* – For easily solvable situations, the trial judge could continue to enlist the assistance of the court’s PIO, discuss the issue with court administration, and/or contact another judge for advice based on his or her experience.
2. *Complex* – Under these guidelines, a judicial officer who is either preparing for a high-profile trial or needs to respond to a media request for access to court proceedings or documents would contact the local Regional Liaison Team. A conference call with team members and court personnel would be scheduled to discuss the issues.

When issues are relative to the judicial officer’s philosophical view on access or ethical concerns, it is imperative that a judicial liaison team member discuss the matter with the judge.

### **References – California Rules of Court, Code of Civil Procedure, Penal Code and Forms**

References on the following subjects and others should be made readily available online for the bench, press, and bar:

- Access to Court Records/Information
- Juror Issues
- Cameras in the Court
- Sealed Records
- Media Coverage and Pooling
- Order Permitting Delegation of Media Coverage

## Attachment 3

### **Bench-Bar-Media Committee Access to Court Proceedings Working Group Tentative Recommendations**

#### **Working Group Discussion and Subsequent Committee Discussion on May 12, 2009**

##### *Sealing of Court Records*

- 1. Amend the California Rules of Court so that courts are required to publish a list of cases that have been ordered sealed. This list could be posted on the court's Web site. Also, amend the California Rules of Court to require courts to directly notify the press of sealed cases.**

Working Group Discussion: Members of the working group discussed the sealing of the Sharon Stone case by the Superior Court of Los Angeles. In brief summary, the court sealed the case completely and it was removed from the court's docket. The existence of the case was discovered by the press approximately a year after it had been filed. Members of the working group discussed how this case is an example of how the press and broad public are often not aware court records are sealed or that some cases even exist. The working group concluded that new measures should be taken to disclose the sealing of records and entire cases to the press and public.

Committee Discussion on May 12, 2009: Reporters are the most likely group to oppose a record being sealed. However, the cost of retaining counsel essentially prevents the media from voicing opposition.

The committee supports the recommendation of publishing a list of sealed cases and posting it on trial court Web sites. Further consideration needs to be given to directly noticing the media of petitions for sealing records.

- 2. Amend the California Rules of Court so that a party has the burden of proving why a court record should be ordered sealed. This party should be required to complete a statewide form that is similar to the form requesting the use of cameras in the courtroom.**

Working Group Discussion: The working group stated that there should be a presumption of openness and if a party wants to go against this presumption, it should have the burden of

proving why the record should be sealed. The request to seal a record should be done in a more formal manner, such as requiring the party to complete and submit a form.

Committee Discussion on May 12, 2009: This recommendation should be deleted as California Rule of Court 2.551 already requires a party requesting that a record be sealed to file a motion or an application for an order to seal the record.

**3. Amend the California Rules of Court so that courts are required to hold a hearing to determine if a record should be sealed.**

Working Group Discussion: Members stated that judges often issue orders to seal records without providing the public and press with any hearing or other opportunity to be heard.

Committee Discussion on May 12, 2009: The members discussed how the current California Rules of Court do not require a hearing to be held. The committee discussed whether a hearing should be required to determine if a record should be sealed. Some members suggested that alternatively a hearing should be required if an individual wishes to oppose the sealing. Consensus was not reached. The working group will need to further explore this recommendation.

Additionally, the committee asked the working group to develop a recommendation that would require a party to pay the attorney fees of the opposing party if the request to seal records is found to be frivolous.

**4. Amend the California Rules of Court so that members of the public and press can contest or appeal a sealing order without being required to show standing or retain an attorney.**

Working Group Discussion: Members discussed how being required to show standing and retain an attorney were onerous and costly impediments to opposing the sealing of court records. Reporters are the most likely group to oppose a record being sealed. However, the costs associated with retaining counsel essentially prevent the media from voicing their opposition. Perhaps the court could ask the press and public for “comments” so that interested persons would not be required to show standing and obtain counsel.

Committee Discussion on May 12, 2009: The committee did not discuss this recommendation.

*Submitted Cases*

**5. Amend the California Rules of Court so that courts are required to publish a list of submitted cases.**

Working Group Discussion: The concerns members expressed about the lack of notification regarding submitted cases are similar to their concerns regarding the sealing of records without notification.

Committee Discussion on May 12, 2009: The committee decided that this recommendation was not needed and should, therefore, be deleted.

### *Gag Orders*

- 6. Amend the California Rules of Court to require judges to hold a hearing and weigh an enumerated list of factors to determine if a gag order should be issued. The breadth of the gag order should not be unnecessarily restrictive.**

Working Group Discussion: Members reported that judges often issue gag orders without a hearing. They also noted that gag orders appear to be increasingly common and are even issued for cases of little or no interest to the public and press. The breadth of the gag orders was described as unnecessarily broad and causing a chilling effect on law enforcement, attorneys, and others.

Committee Discussion on May 12, 2009: It was reported that the media are often not given the opportunity to voice their opposition to a gag order. Retaining counsel to oppose a gag order is often too costly. Media members conveyed that some judges consider the press to be parties to a case and deny them the ability to convey their concerns. Members also reported that some judges issue gag orders before the case has even begun in order to prevent any wrongful disclosures or merely out of frustration.

Media members stated they should not be required to show standing to oppose a gag order as they are not parties to a case and attorney representation is often too costly. This issue of standing was discussed in-depth.

The committee agreed to allow for written objections to gag orders from the press and public. The members also concluded that a hearing should be required to determine if a gag order is needed. If the judge concludes a gag order is necessary, he/she should also determine the gag order's scope during the hearing. The committee also agreed that judges should be required to explicitly state on the gag order what is gagged.

The committee also concluded that a standard form or mechanism to assist journalists in appealing a gag order should be considered by the working group.

### *Cameras and Other Electronic Equipment in the Courtroom*

- 7. Amend the California Rules of Court so the default presumption is that cameras are allowed unless a judge affirmatively prohibits them. Amend the rules to require judges to hold a hearing and state their findings for prohibiting the use of cameras and other electronic devices in the courtroom.**

Working Group Discussion: Members stated that judges often check the “denied” box on the *Media Request to Photograph, Record, or Broadcast* form (form MC-500), but do not provide any rationale as to why cameras and other devices are prohibited. Additionally, the prohibition often is extremely broad, banning the use of audio recorders, laptops, and other electronic devices not having a camera.

Committee Discussion on May 12, 2009: The decision to allow or prohibit cameras is made entirely at the judge’s discretion and some judges turn down a request as a matter of course. The decisions cannot be appealed. Some members noted that most judges and criminal attorneys would oppose changing the rule’s presumption as proposed. As a matter of policy, the Los Angeles District Attorney’s Office is not opposed to cameras in the courtroom except in certain circumstances, such as examination of a minor in a sex crime.

As to a ruling of “no electronics,” members discussed dealing with the universe of other electronic devices separate from cameras. Using cameras versus laptops in a courtroom is significantly different and this should require consideration by the judge.

The committee agreed that requiring additional hearings stating the reasons for prohibitions would be too burdensome for judicial officers.

The committee agreed to recommend changing the presumption so that it is in favor of cameras in the court. It also agreed to recommend that the judge be required to expressly state on a modified MC-500 form his/her findings for denying cameras in the court.

### *Access to Juvenile Court Proceedings*

#### **8. Increase access to juvenile court proceedings for the broad public and the press.**

Working Group Discussion: Members discussed the lack of access to juvenile court proceedings, including dependency court proceedings. They described these proceedings as completely off limits and like a “black hole.” They questioned why the media are consistently denied access to these proceedings. Members stated that child rights advocates also urge that access be given to the press.

Committee Discussion on May 12, 2009: Journalist members stated that they only have access to cases involving a deceased child. Because of time constraints, this recommendation was not discussed further.

### *Online Documentation and Services*

#### **9. Post court documents and information on Web sites.**

Working Group Discussion: Members noted how effective federal court Web sites are in providing services and documents online. They stated that at the local court level in California, reporters must often go to the courts in person to obtain documents and other information.

Committee Discussion on May 12, 2009: Due to time constraints, the committee did not discuss this recommendation.

### *Court Reporter Transcripts*

#### **10. Make court reporter transcripts more affordable and accurate.**

Working Group Discussion: Members stated that court reporter transcripts were essentially unavailable to many in the media because court reporters charge exorbitant prices for them. Members asked if the press could be given a special rate for these transcripts or at least be able to pay the much lower rate paid by the courts. Concerns were also raised about the level of inaccuracies contained in the transcripts and their often untimely delivery.

Committee Discussion on May 12, 2009: Due to time constraints, the committee did not discuss this recommendation.