

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BENITO

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MEDIA ACCESS
POLICY & PROCEDURE

Purpose

The purpose of this policy is to:

- To set forth written guidelines for media coverage of court proceedings consistent with California Rules of Court, Rule 1.150;
- To provide information to both the media agencies and court staff regarding the process; and,
- To create an efficient and consistent process.

Background

California Rules of Court Section 1.150 *Photographing, recording and broadcasting in court*, sets forth mandatory rules regarding media access to court proceedings and compliance is required, for each of the 58 state-wide Courts.

In 2006, the Monterey County Superior Court established a media committee to form a collaborative partnership with the community and the news media to assist them in understanding the functions of the court process and media access to court proceedings. In the course of two formal meetings with the media, it became apparent that judicial officers within their departments handled requests for media coverage differently - often a new media request and order was required for each subsequent hearing in a pending case. A policy and procedure designed to streamline the process is set out below.

Policy - Media Requests

Unless otherwise indicated in the requested order, it is expected that only one or two media requests and orders will be required per case for each media agency. Media coverage may be permitted only on written order of the judge assigned to or presiding at the proceeding (CRC Rules 1.150 (b)(4) & (e)(1).)

It would be expected that any order approving a media coverage request for the initial hearing would extend to subsequent hearings (see Box 5(a) on Form MC-500) unless and until the order is modified or terminated prior to subsequent hearing by a judicial officer pursuant to CRC Rule 1.150 (e)(5).

*The mission of the Court is to dispense justice in all matters within
its jurisdiction in an impartial manner and in accordance with the law.*

This policy is not intended to limit the discretion of any judicial officer in granting, limiting or terminating a media order. See CRC Rule 1.150(e) (5). Any request may be granted or denied without a hearing. CRC Rule 1.150 (e) (2).

If the case is reassigned to another judicial officer or is set into another department for any proceeding, a media request and order may need to be completed at the discretion of the judicial officer presiding at the hearing.

Process

Media Request and Order:

Requests for media coverage should be submitted on Judicial Council form MC-500 (*Media Request to Photograph, Record, or Broadcast*) accompanied by a **completed proposed order** on Judicial Council form MC-510 (*Order on Media Request to Permit Coverage*). The appropriate Request and Order forms are available at the Attorney Service Window, on the Court's Public Website under Media, or on-line at:

Request - <https://www.courts.ca.gov/documents/mc500.pdf>, and
Order - <https://www.courts.ca.gov/documents/mc510.pdf>.

Time Requirements and Procedure:

All required forms must be filed at least five (5) court days before the proceeding to be covered unless good cause is shown as discussed below.

The procedure to request and obtain media coverage is as follows:

- 1) Both the request and proposed order forms must be completed by the media agency and submitted via email to media@sanbenitocourt.org or to the Clerk's Office / Attorney Service window at least five (5) court days prior to the court hearing;
- 2) The Clerk will review the request for completion of the appropriate information;
- 3) The Clerk will file stamp the request and make a notation of the event in the case management system;
- 4) The Clerk will immediately forward the request and order to the appropriate Judge for review;
- 5) After the Judge has ruled on the request, the courtroom clerk will return the order to the Clerk for processing;
- 6) The Clerk will file stamp the order, conform a copy and return the request and order via email. The Clerk will make a notation of these actions in the case management system;
- 7) The media agency should have a conformed order to present to the bailiff before entering the courtroom.

Exception to Five-Day Rule:

The five-day filing requirement shall not apply if the case is set less than five (5) days in advance of the next hearing. The request should still be filed at the earliest opportunity. In these instances the process above will be followed except:

- 1) In the event the matter is filed and set on the same day, the agency may submit the request and proposed order as stated in the previous paragraph, or, if necessary, may submit the request and proposed order to the courtroom clerk (usually through the bailiff) of the judicial officer assigned to hear the matter. The courtroom clerk will file the documents in court. After the court has ruled on the request, the courtroom clerk will return a conformed copy of the request and order to the agency.