

FILED
Clerk of the Superior Court

DEC 28 2022

By: A. Cabrales

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

**IN RE PROCEDURE REGULATING
PHOTOGRAPHY, RECORDING AND
BROADCASTING IN COURTHOUSE**

**GENERAL ORDER OF THE
PRESIDING DEPARTMENT**

ORDER NO. 010123-02

THIS COURT FINDS AND ORDERS AS FOLLOWS:

This order has been developed for the protection of all persons with business in the Superior Court of California, County of San Diego ("San Diego Superior Court" or "court"), courthouse facilities, and to ensure the safe, secure, orderly, and efficient handling of proceedings and court business. This order is consistent with California Rules of Court, rule 10.603, which vests in the Presiding Judge the responsibility of establishing policies and providing a forum for the fair and expeditious resolution of disputes, as well as California Rules of Court, rule 1.150, which establishes rules for media coverage within the courtroom. This order does not replace the Juvenile Court Media Policy, which establishes rules relating to photography, filming, recording, or broadcasting in Juvenile Court facilities. Requests for any exceptions to this order must be submitted to the court's Public Information Officer and will be considered by the Presiding Judge, Assistant Presiding Judge, or their designee.

IT IS HEREBY ORDERED that absent written judicial authorization, there shall be no photographing, filming, recording, or broadcasting by the media, attorneys, or members of the

1 general public within any of the San Diego Superior Court courthouse facilities or grounds, including
2 but not limited to courtrooms, entrances and exits, the lobby areas, hallways, stairs, elevators and
3 escalators, business offices, and temporary locations that may be set up from time to time to conduct
4 court business on courthouse grounds outside of the courthouse building, except: (1) as permitted
5 within a courtroom by a judicial officer under California Rules of Court, rule 1.150; and (2) those
6 areas specifically designated by the court as media areas that are set forth in Exhibit A, attached
7 hereto, or in the Juvenile Court Media Policy, available on the court's website at
8 www.sdcourt.ca.gov/Juvenile. The Kearny Mesa Branch of the court has no designated media area;
9 any and all photography, filming, recording, and broadcasting within or on the grounds of that
10 facility is prohibited without written judicial authorization. Except for the above-referenced outside
11 temporary locations, this order is not intended to restrict the ability to photograph, film, record, or
12 broadcast from outside the entrances and exits of any courthouse facility, provided such activity does
13 not obstruct access to or from the building, or compromise security.

14 Videotaping, photography, or electronic recording devices must be turned off while they are
15 transported within any courthouse facility.

16 Any videotaping, photography, or electronic recording of the interior of a courtroom through
17 the windows of the courtroom door is prohibited.

18 Jurors may not be videotaped, photographed, or electronically recorded anywhere within a
19 courthouse facility at any time, with the exception that once jurors have been discharged from a case
20 and have turned in their juror badges, they may be videotaped, photographed, or electronically
21 recorded in designated media areas if they consent. Spectators may not be videotaped,
22 photographed, or electronically recorded within a courtroom at any time, and may be videotaped,
23 photographed, or electronically recorded outside a courtroom in designated media areas only if they
24 consent.

25 Camera-enabled devices and devices that capture digital images, such as cell phones, PDAs,
26 or watches, may be brought into the courthouse facilities and courtrooms, as long as the image
27 capturing features are not activated, used, or displayed without written authorization from a judicial
28 officer. Any person who wishes to document, photograph, record, or broadcast any portion of a

1 court proceeding must seek and be granted prior written judicial approval, and must inform the court
2 security staff of his or her intentions.

3 Law enforcement officers with body worn cameras (BWC) shall not activate the recording
4 function of the camera unless involved in a law enforcement activity in the courthouse. If a BWC
5 is activated inside the courthouse, the law enforcement officer shall inform the Presiding Judge of
6 the activation as soon as practical. In the event a BWC is activated in a courtroom, the law
7 enforcement office shall notify the judicial officer assigned to that courtroom as soon as practical.
8 Department court-assigned personnel shall not activate their BWC device to record: (i) attorney-
9 client communications; (ii) witnesses, jurors, or minors who are acting lawfully; or (iii) jury
10 selection, in-chambers proceedings, *Pitchess* motion proceedings, *Marsden* motion proceedings,
11 other closed hearings, or court staff meetings.

12 This order is not intended to interfere with or restrict the rights of the media to request
13 permission from a judicial officer to allow media coverage within a particular courtroom, nor to
14 interfere with the ability of each judicial officer to rule on such media requests, in conformity with
15 California Rules of Court, rule 1.150.

16 This order does not restrict or otherwise prohibit arrangements set up by the court's Public
17 Information Officer to allow photographing, recording, or broadcasting by the media based on
18 individual circumstances in an alternate location other than those set forth in Exhibit A; such requests
19 will be considered and a response provided by the Presiding Judge, Assistant Presiding Judge, or
20 their designee.

21 Special requests for photographing or filming of unoccupied courtrooms or jury rooms, or
22 employee work areas, must be made in writing to the court's Public Information Officer.

23 A violation of this order may be the basis for an order terminating further media coverage, a
24 citation for contempt, confiscation of personal electronic devices, and/or an order imposing
25 monetary or other sanctions.

26 This order shall become effective on January 1, 2023, and expire on December 31, 2023,
27 unless otherwise ordered by this court.

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1 Service of this order shall be made on the San Diego County Sheriff's Department.
2 IT IS SO ORDERED.

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4 DATED: December 28, 2022



**HONORABLE MICHAEL T. SMYTH
PRESIDING JUDGE**

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EXHIBIT "A"

1 **GENERAL ORDER OF THE PRESIDING DEPARTMENT, ORDER NO. 010123-02**

2 **EXHIBIT A – DESIGNATED MEDIA AREAS**

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4 Photos, videos, press conferences, and on-camera statements to members of the media and the
5 general public are allowed only in the following designated media areas:
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7 **Central Division, Central Courthouse (1100 Union Street, San Diego, CA 92101)**

- 8 ➤ 1st Floor – South End of Hallway, Left of Dept. 102
9 ➤ 2nd Floor – South End of Hallway, Left of Dept. 202
10 ➤ 3rd thru 22nd Floor – North End of Hallway next to Elevators
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12 **Central Division, Hall of Justice (330 West Broadway, San Diego, CA 92101)**

- 13 ➤ 3rd Floor – East or West End of Hallway
14 ➤ 4th Floor – East or West End of Hallway
15 ➤ 5th Floor – East or West End of Hallway
16 ➤ 6th Floor – East or West End of Hallway
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18 **East County Courthouse (250 East Main Street, El Cajon, CA 92020)**

- 19 ➤ Ground Floor – Wall, North of Elevator Entrance
20 ➤ 1st Floor – Wall, Northeast of Elevator Entrance
21 ➤ 2nd Floor – Wall, North of Dept. 7 or Wall, South of Dept. 8
22 ➤ 3rd Floor – Wall, North of Dept. 11 or Wall, South of Dept. 10
23 ➤ 4th Floor – Wall, North of Dept. 16 at Entrance to Elevator Lobby
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25 **North County Courthouse (325 South Melrose Dr., Vista CA 92081)**

- 26 ➤ 3rd Floor – North or South of Elevator – Opposite Courtroom Involved in Media Event
27 ➤ 4th Floor – North or South of Elevator – Opposite Courtroom Involved in Media Event
28 ➤ 1st Floor – North Building Lobby – South Wall

1 **South County Courthouse (500 3rd Avenue, Chula Vista, CA 91910)**

- 2 ➤ 1st Floor Lobby – North of the Upward Escalator

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4 Cameras must film toward the wall (as opposed to down the hallway) in these designated
5 areas that are marked by signage.

6 For photography, filming, recording, or broadcasting within or on the grounds of the Juvenile
7 Court, see the Juvenile Court Media Policy, available on the court's website at
8 www.sdcourt.ca.gov/Juvenile. The Kearny Mesa Branch of the court has no authorized designated
9 media area; any and all photography, filming, recording, and broadcasting within or on the grounds
10 of that facility is prohibited without written judicial authorization.

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