



**Superior Court of California
COUNTY OF ALAMEDA**

May 10, 2023

Notice to Attorneys and to All Interested Parties:

Invitation to Comment on Proposed Amendments to Local Rules and Forms

As required by California Rules of Court, Rule 10.613(g), the Superior Court of California, County of Alameda hereby distributes for public comment the attached proposal to amend its local rule.

The proposal also may be viewed [here](#) or [here](#). In addition, a hard copy of the proposal is available upon request by email at pcomments@alameda.courts.ca.gov or by phone at 510-891-6012.

Important dates:

- The last day to comment is **June 24, 2023, at 5:00 p.m.**
- The proposed amendment takes effect upon approval of the Chair of the Judicial Council or on **July 1, 2023**, whichever is sooner.

Text of Proposed Rules and Amendments: *see attached.*

Comments must be submitted in writing to:

Andrew Taylor
Superior Court of California, County of Alameda
1225 Fallon Street, Room 209
Oakland, CA 94612
E-mail: pcomments@alameda.courts.ca.gov

Local Rules of the Superior Court of California, County of Alameda

Title 1. General and Administrative Rules

Chapter 1. General and Administrative Rules

Rule 1.7. Photographing, recording, broadcasting, and using electronic devices in court proceedings, courthouses, and other court locations; remote media access by video

(a) Definitions

As used in this rule:

- (1) “Electronic devices” include cameras; video and audio recorders cellular or digital phones; computers; iPads and other tablets; and all similar electronic, cable, digital, computerized or other forms and methods of recording, transmitting, or communicating.
- (2) “Photographing” means recording a likeness, regardless of the method used, including by digital or photographic methods. Photographing does not include drawings or sketchings of the court proceedings.
- (3) “Recording” means the use of any analog or digital device to aurally or visually preserve images and/or sounds. ~~court proceedings~~. Recording does not include handwritten notes on the court record, whether by court reporter or by digital or analog preservation.
- (4) “Broadcasting” means a visual or audio transmission or signal, by any method, including any electronic transmission or transmission by sound waves.
- (5) “Courthouse” means a building in which court proceedings are held. For multi-use buildings, courthouse means the court-occupied portions of such buildings.
- (6) “Courtroom” means both the physical room in which court proceedings are held and any livestream or electronic platform used to conduct court proceedings remotely via video or audio technology conferencing.
- (7) “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, or other news-reporting or news-gathering agency.

(b) Electronic devices

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- (1) Electronic devices are permitted in courthouses and other court locations but are subject to x-ray or visual inspection by an authorized employee of the Alameda County Sheriff's Office.
- (2) Absent permission of a judicial officer, persons must turn off all electronic devices in courtrooms while court is in session. This subdivision does not apply to electronic devices used to connect to a court proceeding.

(c) Photographing, recording, and broadcasting

Photographing, recording, and broadcasting of courtroom proceedings, or within a courthouse or other court location, are prohibited absent a court order.

- (1) Requests to photograph, record, or broadcast a courtroom proceeding must comply with rule 1.150 of the California Rules of Court and must be submitted to the judicial officer assigned to the proceeding. If no judicial officer has been assigned, requests must be emailed to mediarequest@alameda.courts.ca.gov.
- (2) All other requests to photograph, record, or broadcast must be made on Judicial Council form MC-500 and emailed to mediarequest@alameda.courts.ca.gov at least five days before the requested date unless good cause is shown. A request must include its purpose and, if it pertains to a particular case, the case name and number. Unless otherwise permitted, the photographing, recording, or broadcasting must take place in the location in each courthouse specifically dedicated for media use (see <http://www.alameda.courts.ca.gov/Pages.aspx/Media-Requests-to-Film-or-Photograph>) and must not include jurors, prospective jurors, witnesses, prospective witnesses, court personnel, or judicial officers without their written permission.

(d) Remote media access by video

If any portion of a nonconfidential courtroom proceeding will be conducted remotely by video, the media may request remote access by emailing the request to mediarequest@alameda.courts.ca.gov no later than 5 court days before the proceeding. Notice of all rulings on the requests will be provided by the court. Any media permitted remote access by the court must mute both video and audio to allow observation of the proceeding without being seen or heard.

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(e) Exceptions

- (1) The Presiding Judge or designee may approve photographing or recording investitures and other ceremonial or educational programs.
- (2) This rule does not prohibit:
 - (A) Individuals from using electronic devices to photograph or record court files that are otherwise available for public inspection and copying.
 - (B) Law enforcement individuals from using electronic devices to photograph or record while engaged in the course and scope of their official duties.
 - (C) Court personnel from photographing, recording, broadcasting, or using electronic devices as part of their official duties.

(f) Enforcement

Violation of the terms of this rule may result in the confiscation of the electronic device; exclusion of the violator from the courtroom proceeding, courthouse, or other court location; and may be the basis for a citation for contempt of court or an order imposing monetary or other sanctions as provided by law.

Rule 1.7 amended effective July 1, 2023; previously amended effective April 30, 2022; retitled as "Electronic devices in courthouses and other court locations" and adopted effective January 1, 2015; former Rule 1.7 (Civil filing venues) repealed effective July 1, 2008; adopted as sections 'A' through 'E' of Appendix to Chapter 1 effective August 1, 2000 and renumbered effective July 1, 2007; previously amended effective January 1, 2002, January 1, 2004, January 1, 2007, July 1, 2007, January 1, 2008, January 1, 2016, and January 1, 2022.