



**Superior Court of California
COUNTY OF ALAMEDA**

March 19, 2021

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 Local Rule 1.7.

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 **Monday, May 3, 2021 at 5:00 p.m.**
- The proposed amendment takes effect upon approval of the Chair of the Judicial Council or on **July 1, 2021.**

Text of Proposed 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

Title 1. General and Administrative Rules

Chapter 1. General and Administrative Rules

Rule 1.7. Photographing, recording, broadcasting, and using electronic devices in courthouses and other court locations

(a) Definitions

- (1) As used in this rule, “electronic devices” include cameras, video recorders, audio recorders, cellular or digital phones, notebook computers, iPads and other tablet computers, and all similar electronic, cable, digital, computerized or other forms and methods of recording, transmitting, or communicating.
- (2) As used in this rule, “photographing” means recording a likeness, regardless of the method used, including by digital or photographic methods. As used in this rule, photographing does not include drawings or sketchings of the court proceedings.
- (3) As used in this rule, “recording” means the use of any analog or digital device to aurally or visually preserve court proceedings. As used in this rule, recording does not include handwritten notes on the court record, whether by court reporter or by digital or analog preservation.
- (4) As used in this rule, “broadcasting” means a visual or audio transmission or signal, by any method, from within a courthouse, including any electronic transmission or transmission by sound waves.
- (5) As used in this rule, “courthouse” means the interior of a building in which court proceedings are held. For multi-use buildings, courthouse means the court-occupied portions of such buildings.
- (6) As used in this rule, “courtroom” means both the physical room in which court proceedings are held and any online platform used to conduct court proceedings remotely via video or audio conferencing.

(b) Electronic devices subject to inspection

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.

- (c) ~~Prohibited uses of electronic devices in courthouses and other court locations~~ Recording, photographing, and broadcasting within the courthouse
- (1) ~~Other than as provided in rule 1.150 of the California Rules of Court or as provided by a judicial officer, persons may not use electronic devices for photographing or recording in any courthouse or other court location~~ Photographing, recording, and broadcasting within a courtroom are prohibited unless the Court has issued an order permitting such activity in accordance with California Rules of Court, rule 1.150. A request for an order under this subsection shall be made using Judicial Council form MC-500 and emailed to mediarequest@alameda.courts.ca.gov. Requests and proposed orders under this section must be submitted at least five court days before the requested date unless good cause is shown.
- (2) Photographing, recording, and broadcasting within an area of a courthouse not covered by subsection (1) are prohibited unless the Court has issued an order permitting such activity.
- (A) A request for an order under this subsection shall be made using Judicial Council form MC-500 and emailed to mediarequest@alameda.courts.ca.gov. Requests and proposed orders under this section must be submitted at least five court days before the requested date unless good cause is shown.
- (B) A request for an order under this subsection must include the following information in item 1 of form MC-500: (i) that the request does not apply to a specific courtroom proceeding, (ii) the purpose of the request, (iii) the proposed area within the courthouse, and (iv) whether the request is related to a particular case and, if so, the case name and number. As to information item (iii), the areas in each courthouse specifically designated for media use are listed on the Court's website at <http://www.alameda.courts.ca.gov/Pages.aspx/Media-Requests-to-Film-or-Photograph>.
- (3) Anyone granted permission to photograph, record, or broadcast under this rule shall not photograph, record, or broadcast any of the following persons without their express written permission, as reflected in writing or in the record:
- (A) Jurors and prospective jurors
(B) Witnesses and prospective witnesses
(C) All court personnel

(D) All judicial officers

- (2 4) Absent permission of a judicial officer, persons must turn off all electronic devices in courtrooms while court is in session. This provision does not apply to electronic devices used to connect to a court proceeding.

(d) Exceptions

- (1) The Presiding Judge or designee may approve photographing or recording investitures and other ceremonial or educational programs.
- (2) A judicial officer may permit recording of testimony, if taken by or under the direction of that judicial officer.
- (3) This rule does not prohibit individuals from using electronic devices to photograph or record court files that are otherwise available for public inspection and copying.
- (4) This rule does not prohibit law enforcement individuals from using electronic devices to photograph or record while engaged in the course and scope of their official duties.
- (5) This rule does not prohibit court personnel from using electronic devices, or from photographing, recording or broadcasting as part of their official duties for the court.
- (6) This rule does not prohibit a court reporter's use of audio software as permitted by the California Rules of Court.

(e) Enforcement

Violation of the terms of this rule may result in the confiscation of the electronic device 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, 2021 ~~January 1, 2016~~; 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, ~~and~~ January 1, 2008, and January 1, 2016.