

1 SUPERIOR COURT
2 COUNTY OF SAN BERNARDINO
247 West Third Street, Eleventh Floor
3 San Bernardino, CA 92415
4
5
6
7

8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN BERNARDINO**

10 IN RE:

11 PHOTOGRAPHY, FILMING,
12 RECORDING, AND BROADCASTING

11 } GENERAL ORDER #GO22-020

12 } GENERAL ORDER OF THE
13 } PRESIDING JUDGE
14 }
15 }
16 }

17 The purpose of this General Order is to protect all persons with business in the
18 Superior Court of California, County of San Bernardino, courthouses and court facilities;
19 ensure the safe, secure and orderly conduct of hearings, trials and other court
20 proceedings; and facilitate the safe, secure and efficient handling of court business.

21 This General Order is made pursuant to California Rules of Court, rule 10.603,
22 which vests in the Presiding Judge the authority to establish court policies and allocate
23 resources in a manner that promotes access to justice for all members of the public,
24 provides a forum for the fair and expeditious resolution of disputes, maximizes the use
25 of judicial and other resources, increases efficiency in court operations, and enhances
26 service to the public; California Rules of Court, rule 1.150, which governs media
27 coverage within the courtroom; and precedent such as *Cox v. Louisiana* (1965) 379
28

1 U.S. 599 and *Planned Parenthood Shasta-Diablo, Inc v. Williams* (1994) 7 Cal.4th 860
2 concerning valid time, place, and manner restrictions.

3 WHEREFORE, it is ordered:

4 I. DEFINITIONS

5 A. For the purpose of this General Order, the term, "Court" refers to the Superior
6 Court of California, County of San Bernardino.

7 B. "Media" or "media agency" and "media coverage" are defined pursuant to
8 California Rules of Court, rule 1.150.

9 1. "Media" and "media agency" shall mean any person or
10 organization engaging in news gathering or reporting and
11 includes any newspaper, radio or television station or
12 network, news service, magazine, trade paper, in-house
13 publication, professional journal or other news-reporting or
14 news-gathering agency.

15 2. "Media coverage" shall mean any photographing, recording
16 or broadcasting of court proceedings by the media using
17 television, radio, photographic or recording equipment.

18 C. "Courthouse" shall mean any building containing, at least, one (1) courtroom.
19 It shall also mean that portion of a multi-purpose commercial or private
20 building that contains, at least, one (1) courtroom.

21 D. "Court facility" shall mean any building or that portion of a multi-purpose
22 commercial or private building where official court business is regularly
23 conducted.

24 II. PROHIBITIONS

25 A. Absent prior written authorization of the Court, there shall be no
26 photographing, recording or broadcasting of court proceedings by the media,
27 attorneys or members of the public within any of its courthouses and court
28

1 facilities, including, but not limited to, courtrooms, entrances and exits, lobby
2 areas, hallways, stairs, elevators and business offices except:

- 3 1. Authorized Court employees may use any camera-enabled
4 or video-enabled device, including but not limited to,
5 including, cameras, camcorders, cell phones, PDAs, tablets,
6 iPads, iPods and watches, to take photographs or videos in
7 any courthouse, courtroom or court facility;
- 8 2. Officers of local, state and federal law enforcement agencies
9 may wear body cameras in a courthouse, courtroom or court
10 facility only while conducting official business on behalf of
11 the law enforcement agency and shall not activate the body
12 camera's record function unless engaged in an active law
13 enforcement effort in the particular courthouse, courtroom or
14 court facility; and
- 15 3. Media members as permitted within a courtroom by a judicial
16 officer pursuant to California Rules of Court, rule 1.150, and
17 as permitted in specifically designated areas by the Court as
18 defined in Attachment A.

19 This order is not intended to restrict the ability to photograph, film, record or
20 broadcast from outside the entrances and exits of any courthouse or court facility,
21 provided such activity does not obstruct access to or from the courthouse or court
22 facility.

- 23 B. Videotaping, photography and electronic recording devices must be turned off
24 while they are transported within any courthouse or court facility.
- 25 C. Videotaping, photography and electronic recording of the interior of a
26 courtroom through the windows of the courtroom door(s) is prohibited.
- 27 D. Jurors may not be videotaped, photographed or electronically recorded within
28 a courthouse or court facility at any time, with the exception that once jurors

1 have been discharged from a case and have returned their juror badges, they
2 may be videotaped, photographed or electronically recorded if they consent.
3 Videotaping, photography and electronic recording of any consenting jurors
4 may take place only in the area(s) of a courthouse designated for such
5 purpose.

6 E. Spectators and other members of the public may not be videotaped,
7 photographed or electronically recorded within a courtroom. Spectators and
8 other members of the public, who give their consent, may be videotaped,
9 photographed or electronically recorded in the area(s) of a courthouse
10 designated for such purpose.

11 F. Judicial officers and employees of the Superior Court of California for the
12 County of San Bernardino may not be videotaped, photographed or
13 electronically recorded within a courthouse or court facility without their
14 consent.

15 G. Cell phones or other camera-enabled devices and devices that capture digital
16 images, such as watches, PDAs, tablets, iPads and iPods, may be brought
17 into courthouses and court facilities, as long as the imaging capturing
18 features are not activated, used or displayed without the prior written
19 authorization of the Court.

20 H. The Sheriff's Department may use video monitoring systems placed in
21 courthouse public hallways, waiting areas, and some courtrooms as well as
22 lockups and the clerk's office to assist in the security of courthouses. Video
23 monitoring systems and images captured by video monitoring systems are
24 court property. Not all video is recorded, and, when recorded, is retained for
25 only a limited period of time. The recordings are not an official record of court
26 proceedings, and may not be used as such. Government Code section §
27 69957; NBC Subsidiary (KNBC-TV) v. Superior Court (1999) 20 Cal.4th 1178,
28 1212 (observing that the public's right of access does not extend beyond

1 adjudicative proceedings and filed documents). No public disclosure of any
2 recordings shall be made except by authority of the Court Executive Officer or
3 his/her designee. Request for a recording must be submitted to the Court
4 using the Court's Request for Court Security Video form.

5 III. EXCEPTIONS

6 A. This General Order is not intended to interfere with or restrict the rights of the
7 media to request permission from a judicial officer to allow media coverage
8 within a particular courtroom, nor to interfere with the authority of each judicial
9 officer to rule on requests pursuant to California Rules of Court, rule 1.150.

10 B. Requests for any other exception to this General Order must be submitted to
11 the Court Executive Officer for the consideration of the Presiding Judge or
12 her/his designee. All such requests shall be made in writing and shall include
13 a statement of facts in support of the request.

14 C. Requests to photograph or film unoccupied or unused courtrooms, jury rooms
15 or employee work areas must be submitted to the Court Information Officer.
16 All such requests shall be made in writing and shall include a statement of
17 facts in support of the request.

18 IV. SEVERABILITY

19 Should any provision of the General Order be held invalid, the validity of the
20 other provisions of this General Order shall not be affected.

21 V. NOTICE

22 It is ordered that this General Order shall be posted at each public entrance to a
23 courthouse and on the Court's webpage, www.sb-court.org. The Sheriff of San
24 Bernardino County and his/her deputies are directed to serve a copy of this General
25 Order on any person or organization who appears to be in violation thereof, to advise
26 the person or organization of the apparent violation and to immediately notify the
27 manager or supervisor of the courthouse or court facility so the Court can determine
28 what, if any, action should be taken to address the violation.

1 VI. PENALTIES

2 A violation of this General Order may be the basis for an Order terminating
3 further media coverage; a citation for contempt; confiscation of recording equipment,
4 including, but not limited to, cell phones, tablets or other camera-enabled devices and
5 other devices that capture digital images; and/or an Order imposing monetary or other
6 sanctions.

7 VII. EFFECT OF PRIOR ORDERS

8 This order is effective January 1, 2022, and supersedes all previous general
9 orders entitled *Photography, Filming, Recording, and Broadcasting*, issued by previous
10 Presiding Judges. This order shall remain in effect until December 31, 2023.

11
12 Dated this 1st day of January, 2022.

13
14 
15 R. Glenn Yabuno
16 Presiding Judge of the Superior Court

1 **Rancho Cucamonga Courthouse (8303 Haven Ave. Rancho Cucamonga, CA**
2 **91730):**

- 3 ➤ The water fountain display area outside the east front entrance

4
5 **San Bernardino Justice Center (247 W. 3rd Street San Bernardino, CA 92415):**

- 6 ➤ The south platform 30 feet east of the south front entrance doors

7 **Victorville Courthouse (14455 Civic Drive Victorville, CA 92392):**

- 8 ➤ Outside the front entrance at the west parking lot sidewalk

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28