

1 SUPERIOR COURT
2 COUNTY OF SAN BERNARDINO
247 West Third Street, Eleventh Floor
3 San Bernardino, CA 92415
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8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN BERNARDINO**

10 IN RE:) GENERAL ORDER OF THE
11) PRESIDING JUDGE
12 PHOTOGRAPHY, FILMING,
13 RECORDING, AND BROADCASTING
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18 The purpose of this General Order is to protect all persons with business in the
19 Superior Court of California, County of San Bernardino, courthouses and court facilities;
20 ensure the safe, secure and orderly conduct of hearings, trials and other court
21 proceedings; and facilitate the safe, secure and efficient handling of court business.

22 This General Order is made pursuant to California Rules of Court, rule 10.603,
23 which vests in the Presiding Judge the authority to establish court policies, and rule
24 1.150, which governs media coverage within the courtroom.

25 WHEREFORE, it is ordered:

26 I. DEFINITIONS

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

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

3 1. "Media" and "media agency" shall mean any person or
4 organization engaging in news gathering or reporting and
5 includes any newspaper, radio or television station or
6 network, news service, magazine, trade paper, in-house
7 publication, professional journal or other news-reporting or
8 news-gathering agency.

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

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

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

18 II. PROHIBITIONS

19 A. Absent prior written authorization of the Court, there shall be no
20 photographing, recording or broadcasting by the media, attorneys or
21 members of the public within any of its courthouses and court facilities,
22 including, but not limited to, courtrooms, entrances and exits, lobby areas,
23 hallways, stairs, elevators and business offices except:

24 1. Authorized Court employees may use any camera-enabled
25 or video-enabled device, including but not limited to,
26 including, cameras, camcorders, cell phones, PDAs, tablets,
27 iPads, iPods and watches, to take photographs or videos in
28 any courthouse, courtroom or court facility;

1 2. Officers of local, state and federal law enforcement agencies
2 may wear body cameras in a courthouse, courtroom or court
3 facility only while conducting official business on behalf of
4 the law enforcement agency and shall not activate the body
5 camera's record function unless engaged in an active law
6 enforcement effort in the particular courthouse, courtroom or
7 court facility; and

8 3. Media members as permitted within a courtroom by a judicial
9 officer pursuant to California Rules of Court, rule 1.150, and
10 those areas that may be specifically designated by the Court
11 as media areas.

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

16 B. Videotaping, photography and electronic recording devices must be turned off
17 while they are transported within any courthouse or court facility.

18 C. Videotaping, photography and electronic recording of the interior of a
19 courtroom through the windows of the courtroom door(s) is prohibited.

20 D. Jurors may not be videotaped, photographed or electronically recorded within
21 a courthouse or court facility at any time, with the exception that once jurors
22 have been discharged from a case and have returned their juror badges, they
23 may be videotaped, photographed or electronically recorded if they consent.
24 Videotaping, photography and electronic recording of any consenting jurors
25 may take place only in the area(s) of a courthouse designated for such
26 purpose.

27 E. Spectators and other members of the public may not be videotaped,
28 photographed or electronically recorded within a courtroom. Spectators and
 other members of the public, who give their consent, may be videotaped,

1 photographed or electronically recorded in the area(s) of a courthouse
2 designated for such purpose.

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

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

12 III. EXCEPTIONS

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

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

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

25 IV. SEVERABILITY

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

1 V. NOTICE

2 It is ordered that this General Order shall be posted at each public entrance to a
3 courthouse and on the Court's webpage, www.sb-court.org. The Sheriff of San
4 Bernardino County and his/her deputies are directed to serve a copy of this General
5 Order on any person or organization who appears to be in violation thereof, to advise
6 the person or organization of the apparent violation and to immediately notify the
7 manager or supervisor and the supervising judge of the courthouse or court facility to
8 determine what, if any, action should be taken to address the apparent violation of a
9 court order.

10 VI. PENALTIES


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

16 B. A violation of this General Order may also result in imprisonment in the county
17 jail for up to six months, or by a fine up to \$1,000, or by both, pursuant to Penal Code
18 section 166(a)(4).

19 VII. EFFECT OF PRIOR ORDERS

20 This order is effective immediately and supersedes the General Order Re:
21 Photography, Filming, Recording and Broadcasting, dated May 6, 2019.
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24 Dated this 1st day of January, 2020.

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28 Michael A. Sachs
Presiding Judge of the Superior Court