



## **SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE**

### **Cameras in Court:**

### **Photographing, Recording, and Broadcasting in the Courtroom**

### **Information About Form MC-500, Media Request to Photograph, Record, or Broadcast**

#### **1. GENERAL USE OF FORM MC-500**

This form is purposefully flexible and should be used by courts to obtain as much advance information about the requesting agency and its plan as possible. Court clerks can and should ask for additional identifying information from media agencies. Such information may include:

- frequency designation (such as KTLA or KMTC);
- whether they are TV, radio, print, on-line, or another medium;
- whether they are local, nonlocal, or national; and
- whether they plan to broadcast live or tape their coverage.

#### **2. THE FIVE-DAY NOTICE RULE**

The request for electronic coverage of a proceeding must be filed five court days in advance of the proceeding unless good cause is shown. Previously, the request was to be filed a reasonable time before the portion of the proceeding to be covered. The following excerpt from the *Final Task Force Report* of May 9, 1996, explains the reasoning behind the rule:

Several commenters were concerned that the five-day requirement is impractical and imposes an undue burden on the media, particularly for civil pretrial proceedings. The task force reconsidered this provision and proposes to add a good cause exception to be exercised by the trial judge. Some task force members expressed concern that some media outlets might be dilatory and request a good cause exception in circumstances where they could have or should have known about a proceeding at least five days prior. The trial judge, however, will also know when a date was set and available as information to media outlets and can exercise discretion accordingly. (*Final Task Force Report* (May 9, 1996), p.21.)

**Q: What if the media wish to submit a request, but the case has not yet been assigned?**

A: The request may then be submitted to the judge supervising the calendar department, but it will still be ruled upon by the judge assigned to the proceeding. (See rule 1.150(e)(1).)

**Q: What else should a judge be aware of when preparing to rule on a media request?**

A: A five-day notice is required, but the judge need not wait five days to make a decision. The media will want the judge's ruling as soon as possible.

### **3. "GOOD CAUSE" REQUIRED TO ABROGATE THE FIVE-DAY NOTICE RULE**

**Q: What constitutes good cause?**

A: Rule 1.150 is silent on this issue, so judicial discretion is to be exercised to determine whether good cause has been established. Since the trial judge will know when a date was set for trial and can compare that date to the date of the media request, the task force felt that most judges will be in a position to exercise discretion appropriately.

- Example of good cause: Good cause can be shown when a pooling arrangement fails and the initial requesting media agency pulls out, leaving the remaining agencies to make their own request to the court.

### **4. MEDIA PAYMENT OF COURT-INCURRED COSTS**

**Q: Must the media pay increased court-incurred costs?**

A: No, but the judge may condition the order permitting media coverage on the media agency's agreement to pay any increased court-incurred costs resulting from the permitted media coverage. (See rule 1.150(e)(4).)

**Q: What does "court-incurred costs" mean?**

A: Court-incurred costs are those costs incurred as a result of permitting media coverage. They:

- do not include costs of jury sequestering; and
- can include payment for certain county services, such as increased electricity usage or additional court security.

**Q: May a deposit from the requesting agency be required?**

A: Yes. This deposit may be noted under 4(b)(8) "Other" on Form MC-510. In addition, courts may adopt local rules specifically authorizing a deposit.

## **5. MEDIA POOLING ARRANGEMENTS**

### **Q: Are media pooling agreements required?**

A: If two or more media agencies of the same type request media coverage of a proceeding, they shall file a statement of agreed arrangements. If they are unable to agree, the judge may deny media coverage by that type of media agency. (Rule 1.150(e)(9).) Though the court is not responsible for making pooling arrangements, these agreements are advantageous from the court's perspective since they:

- allow the media to coordinate use of equipment and operations;
- give notice of media coverage to other media agencies;
- raise media awareness of court rules; and
- serve a trouble-shooting function by limiting multiple operations on court premises.