



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

### **A Brief History of California Rules of Court, Rule 1.150**

The Judicial Council first adopted rule 1.150 on November 9, 1965, under the leadership of Chief Justice Roger Traynor. Several years of study had led the council to conclude that media coverage of court proceedings interfered with the individual's right to a fair trial, so the original rule 1.150 prohibited photographing, recording, and broadcasting in the courtroom during session or recesses. Exceptions were made for media coverage during ceremonial proceedings and coverage before and after daily court sessions.

In 1966, at the request of the Assembly Interim Committee on Fair Trial and Free Press, they permitted a limited number of experiments in courtroom photography for use in connection with the committee's studies. These experiments were held from June 1 to December 31, 1966, with the permission of all trial participants. The photographs taken during the experiments could not be used for general broadcasts of commercial purposes.

The issue of cameras in courtrooms resurfaced in 1979, when Chief Justice Rose Elizabeth Bird appointed the Special Committee on the Courts and the Media to consider the question of media coverage of court proceedings. The council adopted an experimental rule specifying a trial period of film and electronic coverage beginning on July 1, 1980, after which the effects of film and electronic media coverage were evaluated. This study culminated in the adoption of a new California Rules of Court, rule 1.150, which allowed film and electronic media coverage of criminal and civil courtroom proceedings at the trial and appellate levels. The new rule took effect on July 1, 1984.

In October 1995, rule 1.150 again came under examination by the Judicial Council when a 13-member task force was appointed by Chief Justice Malcolm M. Lucas and charged with evaluation:

- Whether rule 1.150 should be amended;
- if criteria to be applied by the court in determining whether to allow film and electronic equipment in courtrooms should be revised;
- Whether film and electronic media coverage should be prohibited in all state court proceedings, in certain types of proceedings, or in certain portions of proceedings;
- Whether there should be an expansion of the circumstances under which film and electronic media coverage of state court proceedings is now permitted; and

- The criteria for the operation of cameras and other electronic recording equipment, including pool camera, in courtrooms.

The 13-member task force, chaired by Associate Justice Richard D. Huffman of the Court of Appeal, Fourth Appellate District, Division One (San Diego), consisted of judges, attorneys, and court administrators who had extensive experience with high-profile cases covered by the media. The final report of the task force was issued in May 1996.

After considering the final report and recommendations of the task force, the Judicial Council on May 17, 1996, voted to retain judicial discretion over the use of cameras in state courts. Rule 1.150, which specifies the conditions under which electronic media coverage is permitted in state courtrooms, was amended, effective January 1, 1997. The amended rule:

- Retains judges' discretion over the use of cameras in all areas, including all pretrial hearings in criminal cases;
- Prohibits camera coverage of jury selection, jurors, or spectators in the courtroom; and
- Lists 19 factors a judge must consider in ruling on a request for camera coverage, including the importance of maintaining public access to the courtroom, the privacy rights of the participants in the proceedings, and the effect on the parties, ability to select an unbiased jury.

Cameras will continue to be banned from proceedings held in chambers or closed to the public; conference between an attorney and a client, a witness, or an aide or between attorneys; and conferences between counsel and the judge at the bench.