

Local Rules of the Superior Court of California, County of Alameda

Title 1. General and Administrative Rules

Chapter 1. General and Administrative Rules

Rule 1.7a. Emergency Rule re public access to court proceedings during COVID-19 crisis

(a) Statement of intent

This rule is intended to address the ability of the media and the public to access non-confidential court proceedings during the COVID-19 crisis, ~~during which, with some limited exceptions, the Court is physically closed to the public, and public health directives render impossible traditional courtroom access.~~ The rule attempts to balance the right to access with the health and safety needs of the public, litigants, witnesses, attorneys, justice partners, judicial officers, and court staff.

(b) Scope of rule

~~To the extent permitted by available technology and resource limitations,~~ this rule applies generally to non-confidential court proceedings that would otherwise be open to the public. It is not intended to apply to confidential proceedings, informal proceedings, or to matters not typically ~~be~~ open to the public.

Notwithstanding the foregoing, judicial officers retain discretion to limit or expand the **in-person or remote** access to any court proceeding before them.

(c) Public and media access via live streaming audio

Subject to technological constraints, ~~T~~he Court will ~~endeavor, within the limits of technology and available resources, to~~ allow the public to access court proceedings within the scope of this rule via live audio streaming ~~that. The public can be accessed~~ **live audio streams of available court proceedings on through** the Court's Courtroom Live Stream web page at <http://www.alameda.courts.ca.gov/Pages.aspx/live-stream>.

(d) Media access via remote video ~~or in person~~

Members of the media, as defined under rule 1.150(b)(2) of the California Rules of Court, may request permission to attend court proceedings via remote video ~~or in person~~. Media requests to attend a court proceeding via remote video ~~or in person~~ must be emailed to the Court at mediarequest@alameda.courts.ca.gov no later than 5 court days prior to the hearing in question. ~~For purposes of calculating timing under this rule, days that the Presiding Judge has deemed holidays for purposes of Code of Civil Procedure section 12 and 12a shall be counted as court days.~~ Court staff will route all such requests to the judicial officer presiding over the requested proceeding for review and resolution, and will notify media requesters of the related ruling.

Local Rules of the Superior Court of California, County of Alameda

Unless otherwise ordered, media who are permitted to attend remotely via video will be expected to mute both their video and audio during the attended hearing, i.e., they will be permitted to observe only, but not to be seen or heard by other court participants. ~~Media who are permitted to attend in person will be required to wear face coverings at all times, maintain social distancing, and comply with any other applicable public health directives.~~

(e) In-person media access

Members of the media, as defined under rule 1.150(b)(2) of the California Rules of Court, may attend court hearings in person if (i) the hearing is being conducted in person, and (ii) the judicial officer presiding over the hearing determines that there is space in the courtroom. While advance permission to attend in-person proceedings is not required, it is recommended to ensure that adequate seating is available. Such requests should be emailed to the Court at mediarequest@alameda.courts.ca.gov no later than 5 court days prior to the hearing in question. Court staff will route all such requests to the judicial officer presiding over the requested proceeding for review and resolution and will notify media requesters of the related ruling.

Media who are permitted to attend in person will be required to comply with all applicable public health directives.

(f e) Prohibition on recording or broadcasting

No member of the public or the media shall have the right to **photograph**, record, broadcast, or rebroadcast any audio, video, or live stream of a court proceeding under this rule without advanced written permission. Requests to **photograph**, record, broadcast, or rebroadcast any audio, video, or live stream must be made in conformance with rule 1.150 of the California Rules of Court, and must be emailed to mediarequest@alameda.courts.ca.gov no later than 5 court days in advance of the proceeding in question. ~~For purposes of calculating timing under this rule, days that the Presiding Judge has deemed holidays for purposes of Code of Civil Procedure section 12 and 12a shall be counted as court days.~~ Court staff will route all such requests to the judicial officer presiding over the requested proceeding for review and resolution, and will notify media requesters of the related ruling.

(g f) Violations

Any violation of this rule, or of rule 1.150 of the California Rules of Court, is an unlawful interference with the court proceedings and may be the basis for immediate exclusion, future access prohibition, a citation for contempt of court, or an order imposing monetary or other sanctions as provided by law.

(h g) Questions regarding access

Local Rules of the Superior Court of California, County of Alameda

Questions regarding this rule or public access to court proceedings during the COVID-19 crisis should be emailed to mediarequest@alameda.courts.ca.gov.

Rule 1.7a amended effective June 24, 2021; adopted effective April 23, 2020.