



**Superior Court of California
COUNTY OF ALAMEDA**

September 3, 2021

Notice to Attorneys and to All Interested Parties:

Invitation to Comment on Proposed Amendments to Local Rules and Forms

As required by California Rules of Court, Rule 10.613(g), the Superior Court of California, County of Alameda hereby distributes for public comment the attached proposal to amend its local rule.

The proposal also may be viewed [here](#) or [here](#). In addition, a hard copy of the proposal is available upon request by email at pcomments@alameda.courts.ca.gov or by phone at 510-891-6012.

Important dates:

- The last day to comment is **October 18, 2021 at 5:00 p.m.**
- The proposed amendment takes effect upon approval of the Chair of the Judicial Council or on **January 1, 2022**, whichever is sooner.

Summary and Text of Proposed Amendments: *see attached.*

Comments must be submitted in writing to:

Andrew Taylor
Superior Court of California, County of Alameda
1225 Fallon Street, Room 209
Oakland, CA 94612
E-mail: pcomments@alameda.courts.ca.gov

Title 1. General and Administrative Rules

Chapter 1. General and Administrative Rules

Rule 1.7. Photographing, recording, broadcasting, and using Eelectronic devices in court proceedings, courthouses, and other court locations

(a) Definitions

As used in this rule:

- (1) ~~As used in this rule,~~ “Eelectronic devices” include cameras; video and audio recorders; ~~audio recorders,~~ cellular or digital phones; ~~notebook computers;~~ iPads and other tablets ~~s-computers;~~ and all similar electronic, cable, digital, computerized or other forms and methods of recording, transmitting, or communicating.
- (2) ~~As used in this rule,~~ “Pphotographing” means recording a likeness, regardless of the method used, including by digital or photographic methods. ~~As used in this rule, p~~Photographing does not include drawings or sketchings of the court proceedings.
- (3) ~~As used in this rule,~~ “Rrecording” means the use of any analog or digital device to aurally or visually preserve court proceedings. ~~As used in this rule, r~~Recording does not include handwritten notes on the court record, whether by court reporter or by digital or analog preservation.
- (4) “Broadcasting” means a visual or audio transmission or signal, by any method, including any electronic transmission or transmission by sound waves.
- (5) “Courthouse” means a building in which court proceedings are held. For multi-use buildings, courthouse means the court-occupied portions of such buildings.
- (6) “Courtroom” means both the physical room in which court proceedings are held and any online platform used to conduct court proceedings remotely via video or audio conferencing.

(b) Electronic devices ~~subject to inspection~~

- (1) Electronic devices are permitted in courthouses and other court locations, but are subject to x-ray or visual inspection by an authorized employee of the Alameda County Sheriff’s Office.

- (2) Absent permission of a judicial officer, persons must turn off all electronic devices in courtrooms while court is in session. This subdivision does not apply to electronic devices used to connect to a court proceeding.

(c) ~~Prohibited uses of electronic devices in courthouses and other court locations~~ **Photographing, recording, and broadcasting**

Photographing, recording, and broadcasting of court proceedings, or within a courthouse or other court location, are prohibited absent a court order.

- (1) ~~Other than as provided in rule 1.150 of the California Rules of Court or as provided by a judicial officer, persons may not use electronic devices for photographing or recording in any courthouse or other court location~~ Requests to photograph, record, or broadcast a court proceeding must comply with rule 1.150 of the California Rules of Court and must be submitted to the judicial officer assigned to the proceeding. If no judicial officer has been assigned, requests must be emailed to mediarequest@alameda.courts.ca.gov.
- (2) ~~Absent permission of a judicial officer, persons must turn off all electronic devices in courtrooms while court is in session.~~ All other requests to photograph, record, or broadcast must be made on Judicial Council form MC-500 and emailed to mediarequest@alameda.courts.ca.gov at least five days before the requested date unless good cause is shown. A request must include its purpose and, if it pertains to a particular case, the case name and number. Unless otherwise permitted, the photographing, recording, or broadcasting must take place in the location in each courthouse specifically dedicated for media use (see <http://www.alameda.courts.ca.gov/Pages.aspx/Media-Requests-to-Film-or-Photograph>) and must not include jurors, prospective jurors, witnesses, prospective witnesses, court personnel, or judicial officers without their written permission.

(d) **Exceptions**

- (1) The Presiding Judge or designee may approve photographing or recording investitures and other ceremonial or educational programs.
- (2) ~~A judicial officer may permit recording of testimony, if taken by or under the direction of that judicial officer.~~ This rule does not prohibit:
 - (3A) ~~This rule does not prohibit~~ individuals from using electronic devices to photograph or record court files that are otherwise available for public inspection and copying.

- (4B) ~~This rule does not prohibit~~ Law enforcement individuals from using electronic devices to photograph or record while engaged in the course and scope of their official duties.
- (C) Court personnel from photographing, recoding, broadcasting, or using electronic devices as part of their official duties.

(e) Enforcement

Violation of the terms of this rule may result in the confiscation of the electronic device ~~and exclusion of the violator from the courthouse or other court location,~~ and may be the basis for a citation for contempt of court or an order imposing monetary or other sanctions as provided by law.

Rule 1.7 amended effective ~~January 1, 2022~~ ~~January 1, 2016~~; retitled as "Electronic devices in courthouses and other court locations" and adopted effective January 1, 2015; former Rule 1.7 (Civil filing venues) repealed effective July 1, 2008; adopted as sections 'A' through 'E' of Appendix to Chapter 1 effective August 1, 2000 and renumbered effective July 1, 2007; previously amended effective January 1, 2002, January 1, 2004, January 1, ~~2007~~, July 1, 2007, ~~and~~ January 1, 2008, ~~and~~ January 1, 2016.