

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE COUNTY OF MERCED

3 GENERAL ORDER OF THE PRESIDING JUDGE IN RE: PHOTOGRAPHY, FILMING,
4 RECORDING, AND BROADCASTING

5
6 The purpose of this General Order is to protect all persons with business in the
7 courthouses and court facilities of the Superior Court of California, County of Merced; to ensure
8 the safe, secure, and orderly conduct of hearings, trials, and other court proceedings; facilitate the
9 safe, secure, and efficient handling of court business; and to ensure the right to public access
10 without undue interference or delay.

11 This General Order is made pursuant to California Rules of Court, rule 10.603, which
12 vests in the Presiding Judge the authority to establish court policies, and rule 1.150, which
13 governs media coverage within the courthouse and court facilities.

14 WHEREFORE, it is ordered:

15 I. DEFINITIONS

16 A. For the purpose of this General Order, the term, "Court" refers to the Superior Court
17 of California, County of Merced.

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

20 1. "Media" and "media agency" shall mean any person or organization engaging
21 in news gathering or reporting and includes any newspaper, radio, or
22 television station or network, news service, magazine, trade paper, in-house
23 publication, professional journal, or other news-reporting or news-gathering
24 agency.

25 2. "Media coverage" shall mean any photographing, recording, or broadcasting
26 of court proceedings by the media using television, radio, photographic, or
27 recording equipment.
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1 C. "Courthouse" shall mean any building containing at least one (1) courtroom. It shall
2 also mean that portion of a multi-purpose commercial or private building that
3 contains at least one (1) courtroom.

4 D. "Court facility" shall mean any building, or that portion of a multi-purpose
5 commercial or private building, where official court business is conducted.

6 **II. PROHIBITIONS**

7 A. Absent prior written authorization of the Presiding Judge or their designee, there shall
8 be no photographing, recording, or broadcasting by the media, attorneys, parties, or
9 members of the public within any of its courthouses and/or court facilities, including
10 but not limited to courtrooms, jury assembly rooms, entrances and exits, lobby areas,
11 hallways, stairs, elevators, and business offices except:

12 1. Media and media agencies as permitted within a courtroom by a judicial
13 officer pursuant to California Rules of Court, rule 1.150, and those areas that
14 may be specifically designated by the Court as media areas.

15 2. This order is not intended to restrict the ability to photograph, film, or
16 broadcast from outside of any courthouse or court facility, provided such
17 activity does not obstruct access to or from the courthouse or court facility.

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

20 C. Videotaping, photography, and electronic recording of the interior of any courthouse,
21 court facility, or courtroom through the windows or doors of any courthouse, court
22 facility, or courtroom is prohibited.

23 D. Jurors may not be videotaped, photographed, or electronically recorded within a
24 courthouse, court facility, or courtroom at any time. Videotaping, photography, and
25 electronic recording of any consenting juror may only take place outside of the
26 courthouse, court facility, and courtroom unless otherwise permitted by court order.

1 E. Videotaping, photography, and electronic recording of any consenting spectator or
2 other member of the public may only take place outside of the courthouse, court
3 facility, and courtroom unless otherwise permitted by court order.

4 F. Judicial officers of the Superior Court of California for the County of Merced may
5 not be videotaped, photographed, or electronically recorded within a courthouse,
6 court facility, or courtroom without a court order.

7 G. Employees of the Superior Court of California for the County of Merced may not be
8 videotaped, photographed, or electronically recorded within a courthouse, court
9 facility, or courtroom.

10 H. Cell phones or other camera-enabled devices and devices that capture digital images,
11 such as watches, PDAs, tablets, iPads, and iPods, may be brought into a courthouse,
12 court facility, or courtroom, as long as the image capturing features are not activated,
13 used, or displayed without the prior written authorization of the Court.

14 **III. EXCEPTIONS**

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

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

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

1 IV. SEVERABILITY

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

4 V. NOTICE

5 It is ordered that this General Order shall be posted at each public entrance to a
6 courthouse and on the Court's webpage. The Sheriff of Merced County and their deputies are
7 directed to serve a copy of this General Order on any person or organization who appears to be in
8 violation thereof, to advise the person or organization of the apparent violation, and to
9 immediately notify Court Executive Officer and Presiding Judge to determine what, if any,
10 action should be taken to address the apparent violation of court order.


11 VI. PENALTIES

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

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

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21 This order is effective immediately.
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24 Date: 06/14/2021

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26 HON. DONALD J. PROIETTI
27 Presiding Judge of the Superior Court
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