

June 23, 2023
Session 2 Chat

Session 1 chat Materials

--The Chat Materials from Session 1 can also be found in our events page:
<https://www.law.berkeley.edu/research/bji/events/judges-and-the-press/>

Documents under seal

--Some discussion about how helpful it is for judges and journalists to discuss what it means for documents to be under seal, and the implications of that decision.

--There is example of a judge sealing pleading on stipulation. A violation, and burdensome for reporters to challenge.

Boundaries of judges speaking to press

--Concerns about whether an individual judge/individual reporter relationship gives a reporter unfair advantage

--Judges worry about media misrepresenting them, so the individual relationships can break down those barriers.

--If the judges can only comment to educate and inform, it's necessary for them to exercise discretion on which reporters and organizations they interact with.

--Disagree with Charlie about the long-term benefit of the judge- reporter relationship as discussed with Dan and Judge Fogel and we perhaps need to address that from a media perspective so the judges understand the optics.

Federal Advisory Ethics Opinions

--Given the issues raised in the media regarding integrity and transparency surrounding the Supreme Court, how would you handle questions about this? Do you consider this a process question or commentary question that judges should not comment on?

--What if the media asks do you think that Supreme Court rule is appropriate--them not telling the public?

--Great that the disciplinary body/federal judicial ethics committee dispenses informal opinions on something like this.

Unanswered question

--How do you define an “authentic” journalist?

Best back-handed compliment

--Usually I multitask when I watch/listen to programs like this; but this is the second time they put on such a good program that I can't get any extra work done. Many thanks to the program and the panel for all that they do.