

JUDGES AND THE PRESS

Session 1 Chat

CAMERAS

You have to show them real courts. This is why camera access is so important.

IMPARTIALITY

--Judge Donald is so right. Once a judicial officer is **perceived to lack impartiality**, it is like putting a drop of ink in a cup of water. The notion will spread through and permeate the transparency of the process. And once there is a perceived lack of impartiality, it is nearly impossible to restore confidence in procedural fairness and integrity. It must be protected and emphasized at all costs.

EDUCATION AND RELATIONSHIPS

--The Ninth Circuit produced a series of webpages on media education as a start. We provided these pages customized for district websites to those districts that responded to our query. They contain many links to federal judicial websites on how the various institutions function.

<https://www.ca9.uscourts.gov/news-media/court-coverage-tutorial-everything-a-reporter-needs-to-know-to-cover-the-ninth-circuit-to/>

We are always interested in feedback on what is missing/should be included.

--Here is the link to the journalists' guide that Judge Krieger referenced:

<https://www.uscourts.gov/statistics-reports/publications/journalists-guide-federal-courts>

--Does a journalist's education include instruction on the judicial system? Would it benefit to have judges teach at college levels?

--Have you experienced symposiums by our courts that fulfill this need?

--To Dan's points about educating reporters on court basics and building institutional relationships between the "court" and the "outlets," can that be done by other offices in the court (e.g., Clerk's Office) or must it be done by the judges?

--How do you establish relationships with reporters who have little incentive to do so?

--As a journalism grad school graduate, we were not instructed on the structure of courts or the procedure of trials/appeals, but rather on 1st Amendment law

--In some European countries for sure subjects such as communication law are included in the education plan

--Some years ago the fourth DCA in San Diego held a conference designed to help the reporters in our region understand the courts. It went very very well.

--The Ohio State Bar Association has an annual program. Well attended by media and bar every year.

--[NJC](#) is organizing interesting webinars regarding judges and social media/media

COVERAGE AND ASSIGNMENT ISSUES

--Isn't one of the problems that high profile cases bring is the less experienced reporters assigned to the case?

--Can you talk about how consolidation at the corporate level is impacting amount of local reporters/coverage?

--This is a problem, plus the issue of "camera pooling" which is mandated in our State and causes other issues.

What REPORTERS NEED FROM JUDGES

--Meaningful **public access**, which depends on logistics and understanding each other's roles.

--Public Information Offices?

--We need judges to understand that the presentation is part of what brings in **public engagement**. Some news reporters just need snippets but other reporters (like our team) needs to cover the hearing comprehensively; and court rules that are in place limit 1 camera per courtroom which some judges flex on but others don't. As much as reporters don't understand judges, some judges don't understand reporters and the complexity of the work we do

--More in praise of **power strips** and other practical considerations: I'll never forget a federal judge agreeing to put power strips in a courtroom — and allowing electronic devices — when that judge realized it would prevent the noisy door from opening and closing as often, fulfilling his goal of helping jurors keep focus on detailed and technical testimony.

--**Nevada**: Nevada says it has no notification system but some of our courts do. And they let my team log into it and we get e-served stuff which is very helpful. Feel free to reach out admin@ournevadajudges.com

--FAC: As a First Amendment and open-government advocacy organization, we unfortunately see real **access issues** pretty regularly. Sometimes there is a real legal disagreement excessive sealing of documents or proceedings that can be subject of reasonable disagreement, but the issues we are aware of are routine violations of access to proceedings and documents.

The **lack of camera access** to the federal court is a serious issue. We've published 600+ state court hearings/trials and it's making such an obvious difference. Showing them trumps telling them.

--I want to commend all the judges and court administrators who work on **bench-bar-media committees**, which help create better working conditions for the press who cover the courts. I'd like to hear from speakers if they have a sense of whether your court (that you sit on or cover) still have these bench-media committees? As a longtime former reporter and editor and now a press rights and open-government advocate, I am concerned that these committees are no longer as prevalent as they once were, amid the economic crisis in media, reducing the number of journalists, including covering courts.

--**Nevada** has a PIO and an online process for media requests, but we do not have bench bar media committees, before the PIO existed, we had a Supreme Court justice be a spokesperson The Nevada Judicial Canons are binding and do not allow discussing pending or impending cases. But they can educate generally; I've had judges come to our studio. Our Chief Judge of the CoA actually hosted one!

--Oregon Bar Press Broadcasters Council:
<https://www.osbar.org/leadership/committees/bpbc.html>

FOOD FOR THOUGHT FOR JUDGES

--We were taught at **NJC** to say that ethically we are prohibited from commenting and to respond to media rather than having media publish no comment

--Here is a publicly documented real-world example that judges here may find eye-opening, showing how one court staffer in a California state courtroom prevented — temporarily, before things got worked out — press from accessing a courtroom, and suggesting permission was needed to take notes on a notepad (pen/paper), even though the proceedings were in fact public. This was a special barrier for reporters, not the public. After this was made public, we heard from another source that others have experienced this kind of barrier to access due to a

misunderstanding of whether reporters must seek permission to take notes on a paper notepad.

https://twitter.com/gina_k210/status/1661760558197276674

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