

Judges and the Press: the Southern District of New York experience

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SPEAKERS

Charles Hall, Hon. Jennifer Rochon, Denise Neary, Berkeley Judicial Institute, Aaron Katersky, Ed Friedland, Ben Weiser

Berkeley Judicial Institute 00:00

[Music]

Denise Neary 00:15

Welcome all of you to today's seventh iteration of Judges in the Press. We are going to see some information about the about Berkeley Judicial Institute and about the faculty in the chat. Long story short, now that we have you here, we would love to see you back. We have a lot to cover, so please forgive the briefest introductions of this, our spectacular faculty, our moderator today is Charles Hall, who's a public affairs specialist for the Administrative Office of the US courts. He'll be joined by two spectacular people from the Southern District of New York, Judge Jennifer Rochon, who sits on the District's Media and Access Committee, and Ed Friedland, the District Executive and from all accounts, the guide to know if you have an issue in this area. And two people who covered the court ABC, Aaron Katersky and New York Times, Ben Weiser, we are so happy to have all of them here. I know Charlie will tell a little more about them. And with that, let's get started. Charlie, where will we start today?

Charles Hall 01:21

Right. Thank you so much, Denise, and thanks also to our panel and our audience. The Judges and Press series began in 2023 the courts and the press each play a role in ensuring public access to courts proceedings, but as our earlier programs have shown, these two institutions can have some very different priorities, and they don't always see eye to eye. So today, we're actually going to focus on solutions. We're going to take a close look at one federal court where both sides make an extra effort to work together. That is the Southern District of New York, as you might imagine, one of the busiest press operations in the country for federal courthouses. Dozens of reporters work inside the main courthouse in Manhattan. High profile cases are the norm, and I might add, I'm told, as many as four high profile proceedings have been happening in the courthouse today, and some of our panelists have been racing around the building to be here. So we thank you. But in this environment, collaboration

between the press and the courts is a necessity. And one critical hub and what you'll hear many times today is called SDNY, Southern District of New York, is the Media and Public Access Committee. Now, a lot of things, of course, about Manhattan are unique, but my hope today is that our panelists will demonstrate the many ways that courts and the media can work effectively together in any setting. Now, one thing I want to know before we start has Ben Weiser, our fourth panelist, joined us yet?

Denise Neary 02:51

Not yet.

Charles Hall 02:53

So as we will see in real time, press operates on a second by second deadline, and our hope is that Ben will be with us soon, but we will work without him to start off. Finally, I actually want to say one last thing I noticed in looking at the list of attendees today, there's a great mix of judges, public affairs officers, and many journalists, including a number who report out of the Southern District courthouse. So in addition to our panel discussion, I'm looking forward to the end of today's program, when we take questions and comments from the audience, Denise will explain how that process works. So with that, let's begin. I'd like the panel members to introduce yourselves in terms of your connection with the sdny media and public access committee, and please just include a little of your background before you first got involved with the Southern District. I'm going to start with Judge Rochon.

Hon. Jennifer Rochon 03:46

Hi, good afternoon everyone. Pleasure to be here. So I am a member one of the judges on the media and public access committee. I joined the committee as soon as I joined the bench, which we'll talk about, I think later a little bit more. So I've been on the committee since 2022. Prior to joining the committee—and I must say also that our Chair of our committee is Judge Ronnie Abrams, who is a wonderful chair. And I am here in her stead, and she does. I'm just honored to be representing the committee here, and she does an excellent job of chairing that committee. Prior to joining the bench and joining the committee, I was a litigator for several years at a law firm here in New York. I then was a general counsel at a—I was the General Counsel at a large nonprofit, and then I came on the bench in 2022.

Charles Hall 04:47

Thank you so much, Judge Rochon. Ed Friedland?

Ed Friedland 04:52

Thank you Charles and thank you all for joining us on this program. I'm very happy to be here. I'm Ed Friedland, I'm the District Executive in New York Southern. I've been here for almost 17 years now. Prior to joining the Southern District, I was actually out in Las Vegas, spent some time there during the OJ Simpson trial out there, and sort of got a crash course in my short time out there in dealing with the media and much different and we'll talk about it later in the state system versus the federal system, because cameras were allowed in the courtroom, which creates a whole separate set of issues. Prior to that, I'm an attorney by trade, even though I've only practiced a few years. Most of my time has been in public administration, both at the court in Vegas, the court here in New York, as well as working for two

different governors. So look forward to sharing with you what we do here in the Southern District and how well it works.

Charles Hall 05:41

Great. Thank you so much. Aaron Katersky?

Aaron Katersky 05:44

Good afternoon, everyone. My name is Aaron Katersky. I'm a reporter at ABC News, and among my primary assignments is courts and happy to be here on the panel and share the experience. My first trial here in the Southern District was Martha Stewart, and most recently was Luigi Mangione, which wrapped up an hour ago. So very excited to be with all of you today.

Charles Hall 06:11

Right. Thank you so much. And I'm assuming, from silence, Ben has not arrived yet, correct?

Aaron Katersky 06:17

He's he's on his way, and logging in as we speak.

Charles Hall 06:21

As I say: Everybody on the audience is getting a real time demonstration of the pace of press operations in New York. When he comes on, we'll pause and circle back to his introduction. So I want to focus on two types of issues, or the types of issues that arise between courts and journalists and how the Southern District of New York addresses these issues. Ed, you really bring an institutional presence to this discussion. So I'd like to start with you. Can you talk about your basic thinking about press relations in a court context, how that's evolved, and in that connection tell us the history of how the media and public access committee came to be?

Ed Friedland 07:04

I mean, the courts Media Committee sort of predates me by a long time. You know, we were—Ben and I were doing a little research trying to track down the actual origins of it. I reached out to my predecessor. There's always sort of been a large media presence in the Southern District, based upon the types of cases that go on here, and I know you mentioned like differences or issues between the courts and the media, sort of we look at things from the aspect of everything we do is public. There are cases where some things that we do cannot be public, they may be sealed, or they may be a reason why they're not public, but everything we do is public. So how do we facilitate that? We're not looking to bend the rules or break the rules, but we're looking to make sure that there's access available to the media who has a job, very important job, and bringing information out to the rest of the world, the rest of the community, the rest of the public, who can't be there and see what's going on and hear what's going on and see it in real time. So we put together a Media Committee at the court. It's made up of judges as well as members of the media. It's a wide range of media members we have, from people who work solely online to those on cable or the major networks—Aaron or Ben Weiser here from the New York Times. And we meet twice a year, which is the more formal process of what we do, and discuss issues that are out there. I mean things that you don't know, that are going on, that we don't hear from them, we don't see every single day, but they experience every day, and it's something we

can possibly do better or make work better. That's not violating or changing a rule, it's just working together to make sure that they have the access and they can do their job much easier. So that's sort of the whole just the way that media committee comes from. We're different than a lot of courthouses, and we do have a fully staffed press room. We have probably over 50 in-house press members now, and you know, little later on or right now, I can try a short PowerPoint if you'd like to see. It just sort of walks you through what we do here and how we sort of operate. I'm going to try my best to share the screen, so if I screw this up, feel free to yell at me. Hopefully this, hopefully everybody can see that.

Charles Hall 09:05

Yeah, now you're good.

Ed Friedland 09:06

So, I mean, you know, this is typical of what we do when something high profile is going on at the courthouse. I mean, we're a little different than a lot of suburban courts, where you can pull up outside in the parking lot and people can get out of the car and walk in, you're basically walking off a city street. And we do this for anytime there's a lot of press outside, we'll set up the press pens ahead of time. Everybody in the media knows where those press pens are located. They can set up ahead of time. There's no shock. There's no somebody's gonna go through a side door. We we ask parties and the major cases to come in through a specific entrance so that they're not chasing people down, endangering the public, running people over. And the rest the press can set up out there ahead of time. And it's also provides safety for the individuals who are appearing in court, as well as for the general public around there. And I am hoping that there we go. Just some examples here, looking down from the press room, you can see as they're sitting up on the pen, as well as behind the pen, you can see that the public still has a spot to walk back and forth from on the bottom right, setting up for a press conference we'll speak to. To both the prosecutor, defense or plaintiff, and both in civil cases as well, to say, "Do you plan on speaking to the media afterwards?" We'll ask them about every day when they appear. And if the answer is "yes," we'll give them a safe place to go to the hold that press conference. Again, not guessing, not press running around trying to find them, and on the left is what happens when they leave the court property and don't do the press conference. What's been arranged? You'll see that they get mobbed in the streets, which we try to avoid and make it easier for everyone. And the other thing I just want to show we talk about the in-house press car on your left. The people sitting down in front are actually in-house press members. They're the credential members of the press. They get to sit in the jury box during proceedings in this case so that they're not running outside and missing it. They don't have a space staked out. They get to sit in front of the cameras, and they, as you can see, that works well. They sit low and below it so they're not blocking the cameras views. They get out there and get their spot as well. There was a two state attorney general speaking about a case. And then you can just see the orderly, the orderly way in which it's done here, again, the press is off to both sides. This is the Sean Combs case, which is going on now, the family members leaving, making sure that not only the parties get out, but the family and the rest have a safe way in and out. Nobody's harass coming in and out of the courthouse. The Press seem to like it, and they work well with us, both the internal and external press. Again, just more shots of the press setting up. And then these are just some shots here. So it's organized. It's Sometimes you see people coming in at a courthouse and you you see a picture with 4000 hands in the way and other cameras in the way orderly that it's done. On the right, this is done from an in house photographer was the Mayor Adams case. On the left, on the bottom left, there

is Senator Menendez recently, again not being mobbed as they come in and out, and this is a lot of coordination with them. We also have sketch artists as part of the in-house press crew. So what we do is not televised. And what you'll see here is this is actually something that the in-house press knows they can't do, which is sketching the jury, which is why I selected this one. But we do not allow sketching of the jurors faces. This sketch artist actually gave us this back once we realized what she was doing was not appropriate. But again, we save seats for the sketch artist so that they can be in a place where they can do their job and set up ahead of time and capture the faces of what's going on so that people can get a real feel for what happened in court those days. And these are just a few examples of those sketches. This is something else we send out weekly to try to help the press out. It shows all the proceedings that are going on at the courthouse, both civil and criminal. They can review that. They have a question. Write to us and say, can you tell us more about this? Access to this. And this is the notable proceeding. So we're getting calls from the media. The Press are calling in. The public's calling in. We sort of track those separately and send this out to all of the media. So they have this. They can review that again, get back to us. They know what's going on. They notice status of it, where it's taken place and the time has taken place. I think the last thing I have up here is, sort of the in-house press application. It's open to anyone. There are certain criteria that needs to be met. It's how often you work at the courthouse. How many different matters you cover during the year? We will not give out in house press credentials for one specific case. There's a lot of big cases that go on, but you need to be covering cases here regularly, having an in house press pass, and I should just say that the courtroom is open for the press in its entirety. Those that work here on a daily basis, that are running, and then Aaron may talk about this, have been running back and forth between three or four courts in one day that work out of the courthouse get priority in terms of getting into there and getting seating. But we reserve seating, as we did in all the proceedings today, for both the external press and the internal press. So, I mean, that's sort of a general overview, one maybe more specifically. Or as questions come up, or as following up, I can talk about press feeds and other things that we do to sort of facilitate it, but it's, it's to allow the members of the media to do their jobs easily, staying within the rules and the confines that we have to work within. And that's sort of how we do it. What we do generally, is public, and it should be public. It should not be amazed. It should not be a trick question for the media to figure out how to get a document, what time they have to get here to get a seat in the courtroom. So that's that's sort of the purpose of the Media Committee is to work well with the press, making sure they have that information they can get it out there.

Charles Hall 13:45

Ed, thank you so much, and thank you for the great visuals. Aaron, gonna turn to you tell us about I assume you've had to cover many different courts before you started working with an sdny. So can you sort of tell us issues that are common that reporters face in dealing with court access, and did you have any first impressions when you first started covering cases here in the Southern District?

Aaron Katersky 14:12

It's night and day different compared to so many different courthouses around the country, with no disparagement meant to how anyone else does it, but the presumption of access does not exist in every in every courthouse. We've had proceedings rather recently in places like Florida or elsewhere where we weren't treated not only as an afterthought, but really as sort of a second or third class citizen. And hear the it's just so much better. Case in point today, we started the day at 10 in the

morning with a member of the Taliban pleading guilty to a hostage taking and killing US service members. An hour later with Sean Combs, and two hours after that, was Luigi Mangione. And in order to cover those three high profile cases, get stories written, published, get on TV as necessary, the only way to do it is with the kind of access that Ed provides for us and for that, I think I can speak for many colleagues to who say we are just eternally grateful for that.

Charles Hall 15:25

perfect thank you. Now I believe—

Denise Neary 15:27

Charlie, I will say breaking news: I believe Ben here.

Charles Hall 15:30

I believe Ben Weiser is here, so—

Ben Weiser 15:33

I am. Thank you. I don't have a video. It says I can't turn on the video, but maybe you can. It says the host—

Charles Hall 15:41

Perhaps Justin can help with that. But regardless, Ben, welcome so much. Let me catch you up, because we all know it's actually a very busy day in the courthouse. The question I just put to Aaron is you've obviously covered, you know courts, many courts when you first came to the Southern District of New York, were there any things that really stood out as most different between the approach you encountered, particularly the Manhattan courthouse, versus other courts you've worked with, both state and local or state and federal?

Ben Weiser 16:15

Thank you. And again, I really apologize for being late. If anyone here has friends who are reporters, you must know when you invite them to dinner that they're never on time, simply because we never can tell what's going to happen. And even, as Aaron was describing in the court hearing that I just attended, which involved Luigi Mangione, who now is in a potential death penalty case, what we thought would be a pretty routine hearing turned out to be quite newsy, and it just required more reporting and writing after the hearing ended. So, I thank you for your patience and really apologize for not being here earlier. I started covering the court some time ago in 1997 and back then, we didn't have Pacer, at least the electronic version of Pacer, in the way that you can, for example, download a PDF of any court filing. And if you could not get to the clerk's office by 5pm to pick up the paper copy of the document you might want, you were out of luck till the following morning. Of course, if you were the only reporter that had that document, you were in good shape until the next morning. But this court, as I'm sure Aaron's already described, is is fascinating, just for its variety and the sophistication of the cases and the strength of the of the council on both sides, usually, and it makes for just an absolutely wonderful experience to watch. But I have to say, it is made better, and not just for us, but I would argue for the public, by virtue of the fact that the court is very understanding of the need for the press to be in the building, and many of us basically live there, as probably, I won't try to repeat things that people have

probably said, but we have a press room. Probably some two dozen news organizations that are regulars have desks there, and it allows me, just now, for example, to run to this location in less than 90 seconds. I couldn't do this if I were up at my office, but in the old days, things were very different, and I have to give credit to three judges in particular here, Judge Kimball Wood, when she was the chief judge, Judge Richard Berman, and now Judge Ronnie Abrams, who've been the head, the judicial head of the committee that includes several judges and many press and also Ed and the staff of the court and it and you know, this is not all about getting special access to judges. It's really just getting the public access to the court. And our belief, and this is just a cliché, is that, you know, it's you guys, the courts do the public's business, and the public should be able to know what's happening, particularly in courts where cameras are not allowed. And so it's really a job we have to try to communicate that, and anything we can do and anything the court can do to facilitate that, I would argue, is really in the public interest.

Charles Hall 19:04

Wonderful and welcome, Ben. And thanks to Justin for getting your camera on. So Judge Roschon, can you tell us a little bit about your experience with media before you joined the badge and then when you arrived in the Southern District of New York as a judge and join this media at public access committee. Were there any surprise things that surprised you in terms of how the court works with media?

Hon. Jennifer Rochon 19:27

Well, I was very excited to join this committee. I sought it out. I was interested in it, not because I have any particular media background per se, but I was, as I said, before the General Council of the Girl Scouts, which is a nonprofit organization, and as a nonprofit, there is an interest and an expectation of transparency, of public accountability, of making sure that you're reporting on what you're doing, because you have the public trust. And so that was a large part. Part of the work that I did, certainly I would work with media relations and advise from a legal perspective, but the undercurrent of a nonprofit is really about accessibility and transparency with the public, and that sort of draws on our work here with the media access, public access committee and just in the judicial system generally, it's the same undercurrent. If you want people to have confidence in the judicial system, you need to provide that transparency, that accountability, that public accessibility, so that people understand what's going on here, so that there can be accurate reporting about what's happening here, and so I've always been quite cognizant that in order to inspire the public trust, wherever you are in whatever public organization you may be in, but especially here in the third branch, it is important to make sure that there is that sense of public accountability and transparency. Now certainly there are issues that can't be accessible to everyone. There are safety concerns, there could be privacy concerns. I'm sure we'll get to some of the things that need to be a little bit closely held, but in large part the presumption is that, said, is for public access, and so I'm very comfortable in that space, and I think that the judiciary here and elsewhere understand the importance of that. Now, in terms of any surprises having come on the committee, I knew the issues that we'd be talking about. I expected those. I think the biggest surprise was that our meetings, and as Ed talked about them, we have them a couple of times a year, are not gripe sessions. I mean, typically when you get a large group of people together, some with competing points of view and different interests that they're bringing to bear. They can become sessions where there's complaining, where there's some antagonism. We don't have that, and I think that is because we are very we try to be very communicative. We try to keep those lines of communication open. We're

pretty inclusive. These are big meetings with lots of different outlets who are there. It's a collegial atmosphere. And I think there are certainly differences of opinion. There are certainly requests made and requests denied. There are certainly people who have different points of view and things that people wish were done differently, but I don't think, from my perspective as a judge on the committee, I don't feel as if anybody has any hesitancy about bringing their ideas to the table, about expressing their point of view, about reacting to someone else's point of view in a very productive way. And so that's been a nice surprise to joining a committee that sometimes can get quite unwieldy when you have so many people at the table. So it's been a pleasure.

Charles Hall 22:45

So I'm thrilled. Actually, you brought this up about the committee they meet twice a year. I was actually lucky enough in January to be up in Manhattan, and it's this immense conference table, and I'm guessing there must have been 25 reporters there and five or six judges and Ed so I'd like to actually turn back to our reporters, Aaron and Ben, first off, boiling it down, are there some most critical universal needs reporters have whichever courthouse they're operating in, and what's the significance of these twice a year meetings with the Media Committee. How is it helpful to have that kind of forum to talk through these things? Ben, can I start with you?

Ben Weiser 23:25

Sure. You know, we do have the twice a year meetings, but Ed is sort of the committee every day. And you know, we have access to Ed, and it's incredibly important. And you know, he knows every judge, he knows just about every reporter, I imagine, certainly all the in house reporters. And it allows us when either we might need a spokesperson for the court, a judge isn't going to comment and a judge doesn't want to get a phone call from a reporter. But if there's a question about a decision that might need an on the record comment from the court, Ed's there. If there's a question about access, or, you know, there are any number of things that all of us, or some of us, reach out to Ed quite frequently, or his deputies to get done. So in that respect, you know, I don't, I look at the Media Committee more as just to get together where we can all talk, but I don't limit, I don't see it as the only two opportunities, really, is what I'm saying. And I think not every courthouse, including every federal courthouse has someone like Ed, even if they have a District Exec. And I think, you know, Ed, who, I think, had worked in Las Vegas. So if he's been in Las Vegas, nothing will phase him here in New York. And I think that, you know, he's pretty much able to deal with anything that comes up, at least from the press perspective.

Aaron Katersky 24:35

And it's not just a one way street, Charlie, too. It is not weird to hear from, from Ed, if there's an issue with coverage, if we get something wrong, if a judge, if he hears from a judge that men that ABC report was way off. That was not my ruling at all. Ed's not shy about picking up the phone and telling us if there's an issue or. To solicit our input for how to do things differently if need be. And that allows us, I think, to bring the public that much closer to what goes on here. Judge Rochon had an amazing case, the star of which was a luxury handbag line, and there was no way to cover that case from afar. You had to be in there to see the handbags and see the bling and and the idea that it wasn't even a question, that there would be room for us in order to to see all the fancy handbags, I think, was just one small example of how we dialogue about this stuff every day.

Ben Weiser 25:45

So just to say one more thing, you know, many people may think that the purpose of this committee and are seeking access is because, you know, we want to interview judges every day and find out what they did. We may want to do that, but in my view, it's really an access to the court, again, and access to the process so and the proceeding, so that we can accurately convey it. And as Aaron said, you know, if Ed see, if Ed gets a complaint from a judge that something's off, even a nuance in a story, he'll let us know, and it gets corrected fast. Judges don't have to just, you know, think, gosh, there's nowhere I can go. I might also add the d e's office, Ed's office has left it to us to manage the press room. This is not something where the court runs the press room. You know, I think that I've always appreciated that the court, and I was told this by perhaps Ed and his predecessor, the court, doesn't see it as its job to, you know, manage the press in any way and even to choose, necessarily, who's there. There are certain qualifications to have your organization be in the press room with a desk, but those can theoretically be met by any organization that commits to doing it. We have very I don't want to characterize organizations by far right and far left, but I would say we have a real diversity of views and of organizational views press organizations in that press room, but we also self police. And again, I apologize for coming late. Whether this has not been announced, said, But Ed and I believe Judge Berman were able to give us close circuit TVs in close circuit monitors in the court in the press room, to effectively turn it into an overflow room, just as there are video monitors and several overflow rooms in the courthouse, and that allows reporters to be at their desk, who may not be able to bring electronics into a courtroom, but they can be typing at their desk and listen to the audio of a judge talking a witness testifying, or even just to see something's happening that they ought to get up to the courtroom for but we have self police that, you know, we've we've set up, we've put up very bold signs next to each of these four monitors making clear it's, it's against the law to record or to photograph in any way what's going on in those monitors. They are purely for listening. And there are always enough people in the press room to be watching, and we're very quick to correct anybody who might be new, and for some reason, accidentally or inadvertently, does that. So it's an independent organization in a, you know, in a highly structured court.

Charles Hall 28:13

So, I'm going to stay with the reporters for one more minute. Ed, I'm about to shift to you to walk through some particular things that I find really striking about the sdny operation, but just the atmospherics of how, even though a lot of operational stuff happens outside the twice a year meetings, just the atmospherics being able to sit at a table with judges talking this thing through, versus perhaps a court where you're feel more at a distance. Aaron, I'd like to ask you, is there just an inherent value in having this direct face to face dialogue?

Aaron Katersky 28:45

Oh, without question, for all the reasons stated, but it's very cool to sit at a table with a federal judge and have an open dialogue about how we can each do our jobs to better serve the public. I can't think of another instance where that really goes, goes on the cons. The whole conceit is, is bananas to me, but that that they're willing to sit there and and and listen to us, but also that we can air our questions about about access, about closed courtrooms, about, you know, exhibits and evidentiary access, all the things that help make our storytelling richer. We're able to bring directly to to the judge on the bench is-- it's an invaluable opportunity.

Charles Hall 29:37

So actually, I'm going to shift back to Judge Rochon, from what about the flip side? It's from a judge's perspective, is there an inherent value about being able to meet twice a year, face to face with a number of reporters, and also in the context of this meeting, one of the things impresses me a lot is the judges seem to provide support for this entire. Or relationship we've been talking about. So how do judges come to that? It's not true in every courthouse, for sure.

Hon. Jennifer Rochon 30:08

Sure. Well, I think that the buy in of the judges here is in large part because of a few things. Number one, again, I think there's a commitment to public accessibility and to making sure that accurate information is relayed to the public. There are no cameras in the courtrooms, and so we do rely on the fact that we have reporters and access to the press to come in or access to the public, excuse me, to come into our courtrooms to make sure that they know exactly what's going on and that they feel like there's an adequate level of transparency. But the reason I think that it works so well are two other reasons. So one is, as Ben suggested, we have a great deal of respect for those who cover our courtrooms in terms of following our rules, making sure that there is a level, as he called it, of self policing. But it's not us saying, Don't do this, don't do this. They just magically don't do what they're not supposed to do. And if anybody steps over, it's quickly remedied. And so we haven't had a lot of things that have flown back in our faces to regret the--to make us regret--the kind of structure that we have in place here. And I think that the third thing that leads to more buy in from the judges is the judges understand that they are ultimately accountable and that they have autonomy in their courtroom for what needs to happen. There are some judges who may allow cell phones in their courtroom for a particular proceeding they may not they may handle their overflow courtroom in a particular way. They may handle advising participants about how they should excise exhibits so that a an exhibit with only limited redactions, but for the most part, is accessible to the public, can then be shown in the overflow room. So the judges feel, I think, that they have the control and autonomy over their particular proceedings that they feel, I think that they can do the job that they need to do as well, because while accessibility and transparency are very important, those are presumptions, and there are sometimes things that have to be handled differently, in terms of safety or confidentiality or trade secrets, or any number of things that could impact transparency, and those things are going to be very individualized determinations, not just by judge, but also by matter. And so because of that, and because the judges, I think, all understand that they are the ultimate keepers of making sure that things are handled appropriately, so that everyone's rights are are adhered to and preserved. I think that that goes a long way in making sure that nobody's feeling that any particular process, no judge, is feeling that any particular process is being thrown down them and dictated to them as to how they need to proceed. And so I think it's kind of there are many reasons why it works well from many different angles.

Charles Hall 33:06

Thank you so much, Ed. I'm going to turn to you for actually some fairly specific applications of what we've been talking about here, because I find them intriguing. One is, you talked a lot about the press room already, but my understanding is you have a special what you call in-house press status. And I'm wondering, if you talk a little bit about what that gives somebody who is, who is part of that. You mentioned to me at one point, and I think actually earlier today, that when there are not jurors in the jury

box, you actually will allow members of the media to sit there so they can have a better angle. I'd love to hear a little bit more about that. And then most fascinatingly to me, my understanding is in those sidebar conversations where the media are up talking to the judge, that in some cases, actually a pool reporter can be right up there with them. Can you just tell us a little bit about those, those features, how they came to be and sort of what the rationale behind them are?

Ed Friedland 34:07

Sure, absolutely. So in-house press does have special status. I mean, they they go through a background, uh, they actually allow us to run their fingerprints and, uh, because they're bypassing security, they're treated as an employee of the building. In the morning, they come in the same way everyone else comes into the courthouse. As who works here. They swipe a card. Marshal seats them. They come into the courthouse. They keep their electronic devices. They have a desk in the courthouse. They work in the courthouse. They get--we reserve seating so every high profile matter that goes on, we put together a seating chart that's given to the US Marshals and the court security officers, so that we guarantee that there are seats for not just all court staff who want to see the high profile matter, but there is reserve seating for the public. There's reserve seating for the press. There's a separate section reserved seating for the in house press. They also get the benefit in the press room. I think Ben spoke about it was the closed circuit monitor. So we treat that as we have overflow courtrooms in the courthouse. We have an overflow to the press room with multiple. Honors. They can watch more than one proceeding at a time at their request, and their request is sent to the judge. The judge approves it, and then it's turned on by the audio visual team, so they don't have to leave. They can work right at their computers and get things done in real time. So they get that benefit as well. And I also should say that by having that in house press room and then in-house press feed, it opens up more seats in the courtroom, so we have 50 people who are in house, press members that otherwise would have to sit in a courtroom. They're denying 50 seats to members the outside press, members of the public, or somebody else wants to see that. So we're providing more, even more public access to allow that to happen. The they get priority seating outside the courthouse when there's a press conference happening, they don't have to rush back and forth and get behind the cameras that are already set up out there. They get to sort of get up front and do that. There's, you know, sometimes some friction between the external press the internal press, but the in house press is open to any member that meets the qualifications I put up earlier, the qualifications. It's covering things on a regular basis in the Southern District of New York. If you meet that criteria, you're entitled to that that extra access and and I think it was either somebody mentioned that earlier, might have been Ben, might have been Aaron, but it is a two way street in terms of, I mean, we work well with the members of the media. They call me all the time. If there's an issue or something coming up, we can make things better and get it resolved in real time, not having to wait for a meeting or having to send an email at the end of the day or hiring an attorney, we can try and do things in real time to make it happen. But the flip side is accurate. Quick story from not too long ago, one of the major publications put out a story that the Attorney General the United States gave the Southern District a deadline to get something done. The phone started ringing here, and everybody saying, the Attorney General just give a judge of the Southern they said. Nobody talking about we got a copy of the story. And instead of referencing the US, Attorney's Office in the Southern District, a reporter who wrote the story referenced the Southern District as the court and other media outlets picked up off that and the phone started ringing. We called the in house press person. Wasn't his story. Was somebody else who wrote it. He got in touch with the

person in a matter of minutes, the online version was changed and correct information got out to the public, which is sort of why we do what we do, and having that relationship is important. Jury box seating, we we talked about in and when this jury not sitting, we asked the judge who presides over the case if they have no issue with the members of the media sitting there, the in house media. That is, again, we trust them. There's that mutual respect. They know the rules they follow very well. The judge says, Yes, we make those seats available. One most importantly for the sketch artists, I mean, so they can capture the faces of what's going on. There's no camera in there to make the public aware of that. When you see some of those sketches that come out, they're trying to bring out the reaction, whether it be of the judge when somebody says something, or a defendant or a civil litigant or the attorneys themselves. So you can actually capture that which we think is important. Somebody can see who's not there. And even in a courtroom, you usually sit behind so nobody gets to see it when there's no camera there. So that, I think, helps a lot. And then also the reporters, when they're writing their story to tell that story, I think it helps when they can see those those reactions and what people are doing, fidgeting, or whatever else is going on as they're speaking. So we try and make those seats available to them as often as we can. And I think it just about every proceeding here, when they ask for it, they get that special seating. And again, it also opens up today in the mangion matter, it opened up. The court was completely full. So having an extra 20 seats, or whatever, we can squeeze into the jury box. In the large jury room, with large jury boxes, it opens up that many extra seats in the courtroom as well. So that's that's helpful. And then the sidebar thing, I'll probably turn to the judge a little more on this to get into the specifics of it. But in matters, where they're they can be present at a side bar. Again, we don't like to pick the reporters. It's as we talked about that earlier, we asked them to pick somebody from TV, radio, and or print, who will serve as the pool reporter that can go up there and report it back to the rest of the media pool. When that can happen. And that's, you know, again, came up when a certain judge did something and they didn't know it was said or done, it was said or done, it was reported afterwards, or they tried to get it from a transcript, but they can, in real time, see what's happening and and put that information out there. There are certain instances where they can't do that, but when, when they can do that, we try and make sure that they have the full access that goes on. So that's sort of how things work and how things work well between us. And hopefully answer the three questions that you asked.

Charles Hall 39:01

Brilliantly, Judge Rochon, could you expand a little bit about the sidebars?

Hon. Jennifer Rochon 39:04

I think that's just an example. I've not had reporters up at sidebars for any of my cases. Could be virtue of the cases that I had, but I think that's an example of some of the individual decisions that are made by the judges in particular cases. If there's particular confidentiality concerns. Sometimes there's a sidebar for a reason that nobody really should be having access to, that it's under seal or but maybe sometimes it's not, and it just needs to be kept from the jury. So there could be many reasons for doing things a particular way in a particular case, in a particular courtroom, but one thing I wanted to add on to what Ed has suggested is I think we have also tried to kind of grow with the times, and try to infuse this accessibility in whatever way that we can. So for example, one of the vestiges of COVID days, where a lot of proceedings now I'm talking about civil this obviously doesn't apply. A criminal but a lot of civil proceedings were handled virtually, and continue to be handled virtually. You might have a conference that you handle either on a phone line or on teams or some other platform, but it's become

very routine, and I know that I do it in every conference that I have to put a Listen Only line on the docket, so that if any public or press wish to join that conference, it's the same as walking into the courtroom to have access again, I'm in the civil world. I'm not in the criminal world, but when I'm speaking about this, but that's just another thing that I don't think was in place long ago, because we just weren't used to those types of proceedings, and maybe people listened in on on telephone calls. But now that it's a little bit more prevalent, we make sure that that information is on the docket, that public and press have the ability to know when those conferences are in advance with a call in number. It's just a small example, but it's an example of how given technology changes and the way things change in the administration of our cases, we're always have an eye towards making sure that things are open and accessible, of course, unless they can't be.

Charles Hall 41:12

Fabulous. So I'm going to go into our last couple of questions. And clearly, there's a lot of elements in Manhattan that are in all things Manhattan are pretty much different from all things from the rest of the world, and just the fact that you have so many reporters in the courthouse is very unusual these days. So if you were advising a court without a media and public access committee or all the various kinds of supports that Ed provides, what kind of advice would you give to to other courts to try to increase their their general support and open channels with the media? Let me see where I would like to start. Actually, I'm going to start with the two reporters again here. Aaron and Ben, do you have any thoughts if you were you know, we have judges from other courts right now listening reporters from other courts. What thoughts would you offer them about what in your court might translate to other environments?

Aaron Katersky 42:15

Anything to allow us more access we will always advocate for and not to say that that's going to be unlimited, or that it's going to be instantaneous. Some of these changes, I understand, take buy in. They take time. But I think we are in many other courthouses so starved for that kind of access, will comply with pretty well anything, and so happy to start a dialogue about what our experience has been here and share it. Let let Ben answer too, because the it's pretty unique around here has been our experience and and I think that that, I know it doesn't translate everywhere, but there is a reality I know about being in New York. There is there's just, there's critical mass of us, and that doesn't exist everywhere else. So when we show up in an encampment somewhere, I get that we're a little scary.

Ben Weiser 43:22

I might add that, you know, obviously the Manhattan federal courthouse, the Eastern District in Brooklyn, I'm certain, big courthouses in cities like Chicago and LA and Boston, you know, face issues of having multiple big cases often at the same time. Not every court has that obviously, certainly every federal court this court, there's so much going on in New York City, and in particular in the Southern District, which has Wall Street. So for example, in the press room, there are a number of big business press organizations that are also very involved in coverage. But I think what's been so successful here is to have had a series of federal judges who really believe in the press and have wanted this to work, and then someone like Ed, who, in a sense, helps facilitate, you know, what the press wants and needs and what the judges would like as well. And I think in other courthouses around the country, people in the position that Ed holds may not feel they're able to set up a press room like this without buy in from judges, but it may be that you've got to go first to the judges and, of course, have a meeting perhaps

with the regular press that covers that courthouse in some way, and just start a dialogue. I mean, I'm sure that's how that started here. I asked Ed this morning for a little history of this, and it looks like at least back to the 1970s there was a press room in this courthouse, and that tells you that at some point, you know, 50-60, years ago, there were still judges here who felt it was really important to have the press have a place to work that. That was the old federal courthouse at 40 Center Street, which is still in operation. Obviously, it's the Thurgood Marshall United States Courthouse. And people were sitting in the, I think in the corridor. That's they sort of made a press room there, but it's been a long tradition here. And I actually made a little list, you know, just of the things that we've done as a group of reporters in the press room with Ed and with the judges, and I might just cite a couple. I also want to note that, you know, it's not like there's a war between the in house press and the non in-house press. There are many reporters from non in-house press organizations that come to the court to cover individual cases they're not covering. They may not even be from New York, and I think this will happen, for example, in the Sean Combs case, which starts in just a couple weeks, but we've seen it in and I covered the galaine Maxwell case. There were many British publications that came. The court does not make available press credentials, you know, for individual trials, but we as a group of in-house reporters are thinking about the non in House reporters as well, in part because some of them also work for our organizations. You know, I'm at the New York Times, and I have the credential. It doesn't mean everyone at the times can enjoy that. It's you've got to actually be the reporter who meets that the qualifications that are set out. But I do think that, for example, one of the great things that Ed has done at our request is, as Aaron also mentioned, set up a whole row for the in house press in very busy trials, trials where the courtroom is crowded so that reporters can sit in at in the row. Get up if they need to file something, get back and have that seat waiting. But at the same time, the court sets up, usually two or three rows behind the in house row for out of town press. They just may not you know, there may be a limited allocation at those seats, but it is there, and we're always thinking of that. And also with the pools, when they set up a pool reporter to cover something, a sidebar, jury selection, voir dire. There's also a pool set up by the court for the non in-house press, so there's access given to them as well. But you know, sometimes our suggestions, I mean, I was thinking of one that was pretty dramatic. I thought this court, years ago, did not require lawyers or prosecutors to file letters to the judge on on the docket. The only thing that were found were motions. But somehow, letters didn't qualify. And many letters were inconsequential, but many letters contained real argument. And we pressed the you know, through the Media Committee, we asked that that really change, and it did, and now just about every document is filed on the docket, and it makes it a whole lot easier, but we've I should also add we don't get everything we want, but, you know, we raise regularly, and it's never been solved. The fact that many judges at the ends of trials will tell jurors, you know, you are welcome. You are free from jury duty. You're welcome to talk to anyone you'd like, including the press, but I would advise you not to talk to the press. And I would like to see if the judges could be told maybe they don't have to say that each time. And you know, sometimes it's as simple. Another thing where I think I'll ask is that judges begin to think about setting 5pm deadlines instead of midnight deadlines for the filing of important documents, because all of us then wait till midnight to see, you know, the lazy the lawyers, who just can't quite get it all done in time. But a deadline of an earlier deadline would not only mean it gets filed earlier, but it means that our news gets out earlier, you know, so people are not asleep when we're reporting it. So we're still fighting for some things, but at least we have a committee we can do it through.

Charles Hall 48:26

That is a fabulous description of the types of issues that we go through. So we're entering just about the last 10 minutes before we open it up to questions from attendees. So I'm going to kind of compress two questions into one for both Ed and for Judge Rochon, one is particularly starting with the court side. My sense sometimes is that both judges and court staff honestly feel anxiety when media comes through the door. You know, there's actually kind of a fear factor that people have to think through before they do what you guys are doing. So, Judge Rochon and Ed, if you were talking to your counterparts in another courthouse, what would you tell them to help them kind of make a decision as to whether to do even a quarter of what you guys do as a matter of daily routine? So whichever one he wants to tackle that first?

Hon. Jennifer Rochon 49:26

Well I can start and I'll pass it to Ed, who'll have a lot more information on that. But I guess what I would say is that I think what's worked well here is clear expectations. So while you say that there's a fear factor. There's an uncertainty on the court side. When you have reporters teaming about there's less of that uncertainty when everyone has clear expectations, when you know that people are following the rules, they're not going to take a picture, when they're not supposed to take a picture, they're not going to charge after somebody because they have a place where they're supposed to. Stand and somebody's going to feel safe walking where they need to walk. You feel that there's enough respect given to the reporters who are covering the cases of your courthouse that they are going to report things accurately, or you hope that they will. And so I think that that mutual respect and clear expectations helps to dispel some of the anxiety that you might be talking about a little bit. And I also just think that while there may be anxiety, it's also an obligation. It's an obligation to make sure that there's public access, whether it's media access, who then disseminates it to the public at large, or the public is able to come in and see your proceedings. That is a fundamental part of what we do, and we don't do it for publicity. I mean, we are not engaging and making sure that these news outlets have access because we're so excited that there's going to be a fun story written on me or anybody else. That's not the point. The point is that the news that needs to go out about what happens in the judicial system needs to go out accurately, both against again, through reporters as well as through the public at large. And so I think that the what has helped here with any anxiety issues, I think, has been the few things that we've talked about. Judges still control their courtrooms. They can make a rule, if a rule needs to be laid down about how something is done, because of the particular circumstances of what's happening in a particular case, we have expectations about how people are going to interact from the press perspective on our cases. And I think that that is quite helpful. And because of that, and I think because of the longevity of of this relationship, as Ben was talking about, there haven't been too many people, as I've said, who have stepped in something, and we've had a big debacle that has caused everyone to step back and say, "We need to revisit this." We really haven't, at least to my knowledge, sometimes we'll have a little snafu here and there, but it gets taken care of. But I think those things lead to dropping the anxiety level. And I do want to make sure, because you're going to go to questions at some point, that I do say that what makes the anxiety level here as low as possible, and also makes this particular structure that we have as successful as it is, is having a district executive like Ed who really is accessible at all times, and runs things in a way that, I think, that he understands the priorities of the bench, he understands the priorities of the press and the public, and he really is key or having somebody in his role, but I'm not going to give you Ed, but having somebody in a role, if you can ever duplicate Ed is, I think, goes, it does go a long way in making sure that this type of structure works. And

I'm not to say that that, you know, we're talking about advice to other courts and doing this. I don't think there's any magic to it, as much as I say that he's he's fantastic. I think that the if one looks at their particular circumstances, and says, Okay, I've got a cross section of reporters. I'm not making sure that particular people have access and others do not have access in any sort of disparate way. I have expectations about how this is going to be done. I have a cross section of judges on a committee so people that are magistrate judges, district court judges, different levels of experience. I have a committee with people from different outlooks. All of those things are things that can be done anywhere, at any court, and certainly, if it can be done here, with all the challenges incumbent upon us in a very busy courtroom setting, I'm sure that they can probably be translated to settings that provide a little bit less of the hassle that we have here.

Charles Hall 53:45

Wonderful. So we're down to five minutes. So each of you guys has got about a minute each bearing in mind everything we've talked about today. First off, feel free to just say anything you'd like to say in summary, but what is the best thing and perhaps the biggest challenge about investing this much in collaboration between the courts and the media, and why is this kind of collaboration ultimately important for both sides to invest in Ed, if I could have you start off, then I'll go with our two reporters, and then we'll close out with Judge Rochon.

Ed Friedland 54:18

Absolutely, I think investing any amount of time to this actually saves you more time. In the end, it's, it really is not an adversarial relationship. You know, we have something that's due to the public, which is, have public proceedings, transparent proceedings, and they have a job to do. Start somewhere, as my advice to any of the court that's looking at this, we did not start humongous. I remember when I started the press room was a tiny press room. We did the remodel. We said, let's expand that press room. When submarine, right, right? You know, they did not have access to phones in there. We went through that and have the access to the phones. They were not treated as employees of the courthouse. That was another step we took, and it's really that relationship, you know, do we have disagreement? Yes, absolutely. Is it adversarial? Absolutely not. And to Judge Rochon point having somebody in the court who understands both sides what the judge is looking for and the judiciary is looking for in terms of how a court proceeding operates, and understanding what the press is looking for, to have somebody who can be that that go between that middle person to get those things worked out. So you can have two meetings a year, and everybody can sit around and chat, as everybody said, in this discuss things, and there are real issues that will come out of it and buy in from the bench. Is important. When new judges start, we talk to them about everything from where to get a robe to chambers to there's a group of judges that talk about criminal law and jury selection the rest. One of the sessions we do is a media session, and we sit down with them and talk to them about media relations, what goes on and how things are, you know, public, and who to expect to walk into a courtroom and and bring up all these issues ahead of time. So it's a small and start somewhere. Start with a small investment having those discussions. You'll realize that you're more closer together than you are apart, and all that fear and anxiety sort of goes away, you know. And to the point of Ben's point, I'll second that, since I have a judge on the call, I get those phone calls at 11:59pm is that going to be? Is that going to be filed tonight? Is that I'm trying to sleep? So we'll, we'll revisit that one bit.

Hon. Jennifer Rochon 56:06

Well, I would certainly prefer to have things filed at four o'clock, but judge, but lawyers like to work until, you know, 11:59pm

Ben Weiser 56:15

well, they'll work till 3:59pm so

Charles Hall 56:19

Ben your thoughts on, sort of how to wrap up. What are your biggest takeways?

Ben Weiser 56:23

I would just say two things. One, and this is actually Aaron's idea, but he hasn't said it yet. He said it in an earlier session, I believe. But this, this sort of demystifies the court. Our job as reporters is to demystify the court, but I think the court gets a little demystified for us too. And you know, we talk about transparency. This is a very transparent branch of government. All of its work comes out in opinions. Covering the court also means covering the United States Attorney's Office for the Southern District, the Federal Defender Service and countless lawyers. And so it's a big job. It's incredibly fun. But there's also something about the collegiality of that press room. You know, as I mentioned, there are probably 1520 organizations right now today. There were huge number of people in that courtroom in that press room, but often, you know, trials end at five or sometimes even later. Here, most people go home. Reporters go to the press room, and we have two or three hours of work to do, and it's nice to have other reporters there, and we rely on each other too. For example, we have a reporter Matt Lee, Matthew Lee who has, he's got a law degree, and he's just started writing, every time a sealed document gets filed, he sends a letter to the judge and says, Judge, this shouldn't be secret, and at least it makes a decision to happen. And often, you know, we're the times, and if many of some of our other organizations are lucky enough to have in house counsel who are always ready to write those letters if necessary, but often, things don't require a lawyer, they might just and we often as reporters, will get together, and all of us will sign a letter to a judge and ask for a document to be unsealed or for access to something. Matt has really taken the lead on that, and it's been great for us, and he's had some real successes. I think at least half a dozen, if not more, documents have been unsealed by different judges, not just one or two. So I love the collegiality of that press room as well, and it certainly reduces a be at the anxiety level that we may have.

Charles Hall 58:17

Fabulous. Aaron?

Aaron Katersky 58:19

So, I think you asked about the challenges of having a bunch of reporters running around your courthouse, just that we're going to ask for more things every single time. But I think that that's another opportunity for dialogue, and the idea of having us around, being able, having enabling us to work in the courthouse to the press room effectively as our office. It's nice to see one another in a much more informal setting than a courtroom will run into a judge in the cafeteria or in the hallway, and it does, I think, make for a much more congenial experience for both of both sides, I guess, even though I don't see it as sides, but we're all trying to do the same work, but it really does work out well.

Charles Hall 59:09

Perfect. Thank you. And then Judge Ruchon. If you could close the conversation out for us? Sure.

Hon. Jennifer Rochon 59:15

I think that one of the great things about the way that we work through with media. Here is something that Ed touched upon a little bit certainly, Aaron and Ben have talked about how helpful it is for in-house press to have various things, which I think is probably right. But I also think in the larger picture, making that accessible to a certain cadre of reporters is helpful to them, surely, but it opens up room, as Ed said, for others to come in. So it opens up room and space for other reporters who may be just coming in for that particular case, but they're able to get in because there is space for them. It opens up space for the public to come in so that it is not. Just reporters who are there in excess accessing the information, but you've got public and and you've got that accountability and accessibility to members of the public who wish to come in and see proceedings. And so because we have evolved in terms of having overflow rooms and this and the the the feed to the press room and things like that, we have been able to expand our access, not just for those who are credentialed here, but for those at large. And I think that it has the benefit of giving extra accessibility to many people and outlets, but it also provides a self, as Ben sort of said, a way that even if you have new people coming in the court, we have the people who work here on a regular basis being able to remind people, you know, don't take your phone out in this courtroom. This judge does not like phones out in this or whatever it is. They know the idiosyncrasies of this courtroom. They also know the rules of this courthouse. And so having both of those things, having our in house press as well, and I say in house meaning they have some extra additional privileges we don't control, obviously, anything that they do. But also having room for those who may be here on a more sporadic basis and the public to come in is, I think, a great part of this. And I will also just close with something more trivial, and just say the reason I also love this committee is that things evolve, you know, and we learn a lot about the evolving technology, different practices, how people best report through these meetings. You know, I knew nothing about keyboard covers that lessen sound so that reporters could want to use a keyboard in the back of the courtroom, but we judges had a problem because they were too loud, and they're going to get a cover that makes sure that they're not, you know. So we have those types of dialogue so that we can brainstorm good solutions based on new technologies, new ways of reporting and and make sure that all all interests are taken care of. So it's really, it's been a pleasure, and I think on all on all fronts.

Charles Hall 1:02:06

I want to thank our panel for a fantastic discussion. We're going to shift now to bring in the audience and Denise, if I can turn it back to you to explain how the Q and A process works.

Denise Neary 1:02:16

Only if I can thank the faculty and our moderator first. Maybe you're all faking it, but you're giving excellent impressions of collegiality. Matt Lee is in on the conversation. Loves what Ben said, and also said that the District of [Colorado] has an online list of newly sealed files, and he encourages Southern District of New York to do the same, and if it's okay with you, there are a couple that are sort of, I think, Basics. I'm gonna pop to Ed first, if that's okay. But anyone join in ED? How actually, Denise?

Charles Hall 1:02:52

Before you do that, I think what people need to know, if you want to ask a question, just pop it into the chat function, and then Denise will take it. So

Denise Neary 1:03:01

the first How does Southern District of New York designate notable cases, since they all seem notable. Is it any press inquiry? Is it the threshold number of press inquiries? Is it something different?

Ed Friedland 1:03:13

Yeah, it's so it's more or less the there's a threshold in terms of how many phone calls and what we're seeing, what's being reported on, or any inquiries we get from the general public as well, not just members of the media. So that's how we'll do it. I mean, our list would be 45 pages if we didn't have a threshold, because a lot of things are covered here. So there has to be some basic and it's important to have that and have that interaction with the media, because then you can ask a judge, let's move this out of your courtroom to a larger court to accommodate more people, and we schedule things and the rest. So that's sort of another reason we track it and also make CSOs and security and everybody else aware of it. But that's how we determine it's based on the number of calls we get from the public and the media.

Denise Neary 1:03:51

Thank you. And how are orders released? Do you is it all through? Is it through Pacer? Is it through your website? Do you have particular media lists, or is there something different?

Ed Friedland 1:04:03

So generally, they are released through you go into Pacer, and that's where you get the information from. But if it's a high profile decision or an order or something that's coming out, we have decisions of interest on our web page that can be found there, and we'll also, you know something's coming out at midnight, or we had a decision not long ago that happened at like, two or three in the morning, we were standing by to send it out to our press list. We we send things out just, you know, to both the in house press we maintain that list, but we probably have an organizational press list outside of the in house that's probably 500 or better organizations broken down by what their interests are, Public Integrity, arts, sports and the rest. And we'll filter that to push out major decisions as well. So generally, it's Pacer, but if it's something that we're going to know, we're going to get 8000 phone calls on to sort of preempt that and make everybody's life easier, we'll push those decisions or orders out.

Ben Weiser 1:04:49

Okay. And Ed, may I just jump in? I would. I'm guessing that judges know you do that, and when they have a big opinion, or an important opinion, or one that might be more obscure but still has significance. Yeah, they'll contact you and ask that you send it out beyond their own posting. It is that, right?

Ed Friedland 1:05:04

That's a good point. Ben, I mean, one of the things I put out regularly is we asked for decisions of interest. And the decision of interest is not that it's the most popular case out there, but there's a complex legal issue that actually means something worldwide, or, you know, throughout the country

and the rest. And you know, the average person doesn't even know what they're talking about, but it does mean something in the Wall Street Journal, the Financial Times, if it's a finance case, or whatever the case may be. So we do get a lot of this a very good point.

Denise Neary 1:05:28

And related to that, are there bankruptcy judges on the committee, on the media and access committee?

Ed Friedland 1:05:34

There are currently no bankruptcy judges on the media and access committee, but we do work closely with our bankruptcy clerk of court when they're high profile bankruptcy proceedings.

Denise Neary 1:05:44

He would be another person. We could do a program about how wonderful he is, but that's for another day. So how do you credential non traditional media outlets, podcasters, YouTubers, influencers, or do you credit them?

Ed Friedland 1:05:56

So, you know, we don't make that distinction. We have. I think I put the application up earlier, and I can certainly pull it back if you want. You know we have criteria that that is met. I mean, you're providing something to the public. It's not for your personal use. It's not solely for whatever you can do with it on your own. It has to be made available to the public, whether it be on the Internet, whether it be by sending out a newsletter, whether it be by television, media, print or radio. We just go through the criteria you need to meet that criteria, you know, I know Matt Lee is on here. When he applied, he, you know, I think work at the United Nations. Prior to that, he came in, filled out an application, he met the criteria, he came in, and that sort of opened up a whole new door for us in terms of different types of media outlets. And he is a perfect example on somebody you think would not be on day one the major media, and he has opened the door now to others who sort of do that night. I think I don't see him on there. I know he's on here somewhere, but certainly, you know, I see other major media outlets now quoting his coverage of the court. He covers a lot of things at the question on a regular basis. So we don't really look to whether you're a blogger or the rest. It's really the coverage and and who you're providing the information to.

Denise Neary 1:07:03

Oh, thank you. And if this, I recognize this was a lot of extra work for you, Ed, but if this hasn't made you feel good about what you do and how you do it, there you can, you know, send this copy for holiday gifts and the like. Briefly, I'll be off, Ed for a moment. And while, while this was covered, I'm going to turn to the judge. Judge, what advice would you give fellow jurists who are lucky, who are reluctant to have this sort of relationship with the media?

Hon. Jennifer Rochon 1:07:33

Well, it's interesting how you framed the question. And I guess I don't really see it as a relationship. I mean, yes, there's lines of communication, and there is a structure that's set up to make sure that everybody can do their job. But as sort of said, it's a pretty objective criteria. People come in, they apply

to be in-house press, they meet certain criteria, and they come in, and if they meet the criteria, they come in, they're vetted, et cetera. So it's not as if we're fostering particular relationships that we want to make sure are facilitated through the work that we do. But what I would say, and I think it harkens back to what I talked about before, if there's a reluctance in having kind of that openness to the press in general, and coming into your proceedings and having a dialogue about how things could be done better. It's always hard to hear from someone about how things could be done better, because then there's an expectation that you'll try to do it better. If you don't hear about it, you can claim ignorance, but we do think that it's important that we hear from the press, we being the judges on the committee about what's working well, what's not working well. And so I could see a reluctance and anxiety about hearing from that, because then you have to address those issues. But I would just say that I think that only good has come from having that open dialogue and that we have been able to do our job better. I think the press has been able to do their job better, which is, in fact, our job, making sure that the public has access to what we do. And so it may make people feel uneasy about having the press around so much or in a way that they are facilitated in getting the information, but I think it ultimately, if done right, makes our jobs easier, and if there are, as I said, clear expectations, you don't run into the things that cause the anxiety and the reluctance in the first place, those snafus that may cause people to hesitate.

Denise Neary 1:09:36

Thank you. Thank you. And Charlie, I think the last word will be to you that covers, that covers the questions we have. What are I'm so grateful to you for being such an important part of this Judges in the Press series. What? What final words might you have for our audience?

Charles Hall 1:09:53

You know, it's so funny. I think I was the one who introduced the notion of fear and anxiety. You. Into the discussion, and I do a lot of training, so that's one of the first questions I ask is, how many of you deal with the press? And typically, about a third of the hands in the room go up. And then I ask, how many of you actually enjoy these are core professionals dealing with the press, and every one of those hands comes rocketing back down. So it is a thing that but I really think the value of a conversation like this is a to me, the biggest winner is the public. The courts win. The media wins, but the public wins when there is this kind of collaboration. And honestly, when I went up to New York in January to be introduced, I was quite inspired by what I saw. And the thing that really impressed me in the week or two afterwards is I talked with a number of the reporters at this Media Committee meeting, people just kept saying things like, this is the gold standard. This is the best. And I think that level, it's not just that the reporting helps, but the level of mutual trust, I think, is really something, I hope that will inspire other courts, because everybody wins. When people get past that initial reserve work together and find out that actually you're all serving not only public knowledge, but ultimately public trust in the court. So I just want to say I think the panel today has been fantastic, and I just want to thank all of you.

Ben Weiser 1:11:21

Well. Aaron had to run out to do a live stand up, so he's not here, but he's perfect. That's the classic thing.

Denise Neary 1:11:29

Such an underachieving group you've assembled. I am so grateful to my colleague Justin, so grateful to the faculty led by Charlie, and so grateful to all of you for your great questions and hope that this program might do a little bit to to move these significant issues forward, really. Thank you all for your participation. Thank you.

Hon. Jennifer Rochon 1:11:50

Take care.

Ben Weiser 1:11:50

Thank you.