

S.J.C. Rule 1:19 Electronic Access to the Courts

Frequently Asked Questions

1. Why are there changes to the rules governing cameras in courtrooms?

The Supreme Judicial Court has amended Rule 1:19, which governs cameras in the courtrooms, to recognize changes in both technology and journalism since the original rule was promulgated. The amendments, which become effective on September 17, 2012, were drafted by a committee that included judges, clerks, court administrators, lawyers, media representatives and bloggers.

2. What are the major changes?

Much of the original rule remains the same. The new rule contains a definition of news media which includes citizen journalists who are regularly engaged in the reporting and publishing of news or information about matters of public interest. Additionally, the rule now allows the news media to use laptop computers and mobile electronic devices in the courtroom as long as they are not disruptive to the proceedings. This means that live blogging would be allowed.

The news media must register with the Supreme Judicial Court's Public Information Office. Those registering must confirm that they meet the definition of news media and agree to follow the provisions of Rule 1:19. A judge has the discretion to permit electronic access by a person who has not registered.

In addition to the currently-allowed one video and one still camera, a second mechanically silent video camera is now allowed for use by news media other than broadcast television and still photographers.

Motions to suppress may be electronically recorded.

If news media ask to record multiple cases in a session on the same day, a judge may reasonably restrict the number of cases that are recorded to prevent undue administrative burdens on the court.

The rule also applies to clerk magistrates conducting public proceedings.

3. Must all news media now register in order to cover court proceedings?

No. Registration and permission from the court are required only to use cameras or technology in the courts. News media are free to cover the courts without registering provided they do not use technology in the courtroom.

4. Who is defined as news media?

The rule defines news media as any individual who regularly gathers, prepares, photographs, records, writes, edits, reports or publishes news or information about matters of public interest for dissemination to the public in any medium, whether print or electronic.

5. Will news media still be required to obtain the court's permission to bring cameras and electronic devices into the courtroom?

Yes. Individuals who meet the definition of news media and who are registered with the Supreme Judicial Court's Public Information Office must seek the judge's permission in the court where the proceeding is being held before the session begins.

6. How should the news media request permission?

The news media should contact the clerk's office to obtain permission before the session begins. The rule states that a judge may require reasonable advance notice from the news media. The clerk will be able to assist in requesting the judge's permission.

7. Who needs to register with the Supreme Judicial Court's Public Information Office?

News organizations and individuals who meet the definition of news media, as defined by the rule, should register with the Court's Public Information Office. News organizations need to have only one authorized representative complete the registration form, but that person will be responsible for ensuring that each member of the news organization has read and understands the rule and has agreed to abide by its provisions. All individuals who register and those who are covered by an organization's registration must indicate they have read and agree to adhere to the rule.

8. How does the registration process work?

Registrants must complete a registration form. Instructions, registration forms and other information will be posted on the Supreme Judicial Court's website. After the form is filled out, the Public Information Office will send a signed acknowledgment form by email to the registered individual or news organization contact. The acknowledgment form must be shown by the individual when going to court along with a photo identification, such as a driver's license. A card showing affiliation with a registered news organization, such as a business card, may also be required. The acknowledgment form can be downloaded and stored on a mobile device to be shown to court security. A paper copy also is acceptable. Those who register with the Public Information Office will have their names and affiliations listed on a web page on the Supreme Judicial Court's public website.

9. Will the news media be allowed to bring electronic devices into the courtroom if they are not registered with the Public Information Office?

A judge has the discretion to permit electronic access by a person who has not registered.

10. Does the news media need to show identification to bring electronic devices into the courthouse and courtroom?

Yes. The news media must show the acknowledgment form and photo identification to an associate court officer at the courthouse entrance. Also, once an individual has registered with the Public Information Office and receives permission from the court to be a pool camera operator or to use electronic devices in the job of reporting in the courtroom, the individual will be required to show the acknowledgment form and a photo identification to a court officer in the courtroom before using the equipment. A court officer can ask an individual for the proper identification.

11. What happens if a news media representative forgets to bring the acknowledgment form to court?

A news representative will not be allowed to use electronic devices in the courtroom. In courthouses where no cell phones are allowed inside, per Trial Court policy, a news media representative will not be allowed to bring a cell phone into the courthouse without the acknowledgment form.

12. What kinds of electronic devices will be permitted in the courtroom?

For photography or video recording, the rule permits only one stationary, mechanically silent video camera for broadcast television, a second mechanically silent video camera for other media, and one silent still camera for print media to be used in the courtroom at any one time.

For other reporting, mobile devices may include laptops, tablets, pads, smart phones, and the like, as long as they are not disruptive to the proceedings.

Electronic devices will be screened at the courthouse entrance.

13. Can the news media take photos or electronically record court sessions?

Photos and audio or video recording are not allowed without specific, prior approval by a judge. Photography or electronic recording or transmission of voir dire hearings concerning jurors or prospective jurors and frontal or close-up photography and video of jurors and prospective jurors are not ever permitted.

14. Are journalism students allowed to bring electronic devices into a courtroom?

Yes, if they meet the definition of news media as defined by the rule and register with the Public Information Office. See answer to # 4.

15. Does the rule apply to all court proceedings that are open to the public?

The rule applies to all public court proceedings, including magistrate proceedings that are open to the public.

16. Does Rule 1:19 apply to news media using cameras and electronic devices in a courthouse but outside the courtroom?

The rule applies to taking any photographs, or making any recording or transmission by electronic means, in any courtroom, hearing room, office, chambers or lobby of a judge or magistrate.

Although Trial Court policy generally prohibits the use of cameras inside courthouses that policy is not directed at news media practices in courthouses. Court officials may implement reasonable guidelines to avoid interference with court business.

17. When does the rule take effect?

The rule becomes effective on September 17, 2012.