

FILED
Clerk of the Superior Court
DEC 27 2023

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

**IN RE PROCEDURE REGULATING
PHOTOGRAPHY, RECORDING, AND
BROADCASTING IN COURTHOUSE**

**GENERAL ORDER OF THE
PRESIDING DEPARTMENT**

ORDER NO. 010124-02

THIS COURT FINDS AND ORDERS AS FOLLOWS:

This order has been developed for the protection of all persons with business in the courthouse facilities of the Superior Court of California, County of San Diego (“San Diego Superior Court,” “court,” or “courthouse”), and to ensure the safe, secure, orderly, and efficient handling of proceedings and court business. This order is consistent with California Rules of Court, rule 10.603, which vests in the Presiding Judge the responsibility of establishing policies and providing a forum for the fair and expeditious resolution of disputes, as well as California Rules of Court, rule 1.150, which establishes rules for media coverage within the courtroom. This order does not replace the Juvenile Court Media Policy, which establishes rules relating to photography, filming, recording, or broadcasting in Juvenile Court facilities. Requests for any exceptions to this order must be submitted to the court’s Public Affairs Officer and will be considered by the Presiding Judge, Assistant Presiding Judge, or their designee.

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1 IT IS HEREBY ORDERED that absent written judicial authorization, there shall be no
2 photographing, filming, recording, or broadcasting by the media, attorneys, or members of the
3 general public within any of the San Diego Superior Court facilities or grounds, including but not
4 limited to courtrooms, entrances and exits, the lobby areas, hallways, stairs, elevators and escalators,
5 business offices, and temporary locations that may be set up from time to time to conduct court
6 business on courthouse grounds outside of the courthouse building, except: (1) as permitted within
7 a courtroom by a judicial officer under California Rules of Court, rule 1.150; and (2) those areas
8 specifically designated by the court as media areas that are set forth in Exhibit A, attached hereto, or
9 in the Juvenile Court Media Policy, available on the court's website at www.sdcourt.ca.gov/Juvenile.
10 The Kearny Mesa Branch of the court has no designated media area; any and all photography,
11 filming, recording, and broadcasting within or on the grounds of that facility is prohibited without
12 written judicial authorization. Except for the above-referenced outside temporary locations, this
13 order is not intended to restrict the ability to photograph, film, record, or broadcast from outside the
14 entrances and exits of any courthouse facility, provided such activity does not obstruct access to or
15 from the building, or compromise security.

16 Videotaping, photography, or electronic recording devices must be turned off while they are
17 transported within any courthouse facility.

18 Any videotaping, photography, or electronic recording of the interior of a courtroom through
19 the windows of the courtroom door is prohibited.

20 Jurors may not be videotaped, photographed, or electronically recorded anywhere within a
21 courthouse facility at any time, with the exception that once jurors have been discharged from a case
22 and have turned in their juror badges, they may be videotaped, photographed, or electronically
23 recorded in designated media areas if they consent. Spectators may not be videotaped,
24 photographed, or electronically recorded within a courtroom at any time, and may be videotaped,
25 photographed, or electronically recorded outside a courtroom in designated media areas only if they
26 consent.

27 Camera-enabled devices and devices that capture digital images or audio recordings, such as
28 cell phones, Personal Digital Assistants, or watches, may be brought into the courthouse facilities

1 and courtrooms, as long as the image capturing and audio recording features are not activated, used,
2 or displayed without written authorization from a judicial officer.

3 Any person or entity, including but not limited to, individuals viewing or appearing remotely,
4 who wishes to document, photograph, record, or broadcast any portion of a court proceeding must
5 seek and be granted prior written judicial approval, and must inform the court security staff of his or
6 her intentions. Further, any person or entity, including but not limited to, individuals viewing or
7 appearing remotely, who wishes to document, photograph, record or broadcast any portion of a court
8 proceeding is prohibited from using generative artificial intelligence (“AI”) unless prior written
9 judicial approval is granted to use AI.

10 Law enforcement officers with body worn cameras (BWC) shall not activate the recording
11 function of the camera unless involved in a law enforcement activity in the courthouse. If a BWC
12 is activated inside the courthouse, the law enforcement officer shall inform the Presiding Judge of
13 the activation as soon as practical. In the event a BWC is activated in a courtroom, the law
14 enforcement officer shall notify the judicial officer assigned to that courtroom as soon as practical.
15 Department court-assigned personnel shall not activate their BWC device to record: (1) attorney-
16 client communications; (2) witnesses, jurors, or minors who are acting lawfully; or (3) jury selection,
17 in-chambers proceedings, *Pitchess* motion proceedings, *Marsden* motion proceedings, other closed
18 hearings, or court staff meetings.

19 This order is not intended to interfere with or restrict the rights of the media to request
20 permission from a judicial officer to allow media coverage within a particular courtroom, nor to
21 interfere with the ability of each judicial officer to rule on such media requests, in conformity with
22 California Rules of Court, rule 1.150.

23 This order does not restrict or otherwise prohibit arrangements set up by the court’s Public
24 Affairs Officer to allow photographing, recording, or broadcasting by the media based on individual
25 circumstances in an alternate location other than those set forth in Exhibit A. Such requests will be
26 considered and a response provided by the Presiding Judge, Assistant Presiding Judge, or their
27 designee.

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1 Special requests for photographing or filming of unoccupied courtrooms, jury rooms, or
2 employee work areas must be made in writing to the court's Public Affairs Officer.

3 A violation of this order may be the basis for an order terminating further media coverage, a
4 citation for contempt, confiscation of personal electronic devices, and/or an order imposing
5 monetary or other sanctions.

6 This order shall become effective on January 1, 2024, and expire on December 31, 2024,
7 unless otherwise ordered by this court.

8 Service of this order shall be made on the San Diego County Sheriff's Department.

9 IT IS SO ORDERED.

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11 DATED: December 27, 2023



**HONORABLE MICHAEL T. SMYTH
PRESIDING JUDGE**

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EXHIBIT "A"

1 **GENERAL ORDER OF THE PRESIDING DEPARTMENT, ORDER NO. 010124-02**

2 **EXHIBIT A – DESIGNATED MEDIA AREAS**

3
4 Photos, videos, press conferences, and on-camera statements to members of the media and the
5 general public are allowed only in the following designated media areas:

6
7 **Central Division, Central Courthouse (1100 Union Street, San Diego, CA 92101)**

- 8 ➤ 1st Floor – South End of Hallway, Left of Dept. 102
9 ➤ 2nd Floor – South End of Hallway, Left of Dept. 202
10 ➤ 3rd thru 22nd Floor – North End of Hallway next to Elevators

11
12 **Central Division, Hall of Justice (330 West Broadway, San Diego, CA 92101)**

- 13 ➤ 3rd Floor – East or West End of Hallway
14 ➤ 4th Floor – East or West End of Hallway
15 ➤ 5th Floor – East or West End of Hallway
16 ➤ 6th Floor – East or West End of Hallway

17
18 **East County Courthouse (250 East Main Street, El Cajon, CA 92020)**

- 19 ➤ Ground Floor – Wall, North of Elevator Entrance
20 ➤ 1st Floor – Wall, Northeast of Elevator Entrance
21 ➤ 2nd Floor – Wall, North of Dept. 7 or Wall, South of Dept. 8
22 ➤ 3rd Floor – Wall, North of Dept. 11 or Wall, South of Dept. 10
23 ➤ 4th Floor – Wall, North of Dept. 16 at Entrance to Elevator Lobby

24
25 **North County Courthouse (325 South Melrose Dr., Vista CA 92081)**

- 26 ➤ 3rd Floor – North or South of Elevator – Opposite Courtroom Involved in Media Event
27 ➤ 4th Floor – North or South of Elevator – Opposite Courtroom Involved in Media Event
28 ➤ 1st Floor – North Building Lobby – South Wall

1 **South County Courthouse (500 3rd Avenue, Chula Vista, CA 91910)**

- 2 ➤ 1st Floor Lobby – North of the Upward Escalator

3
4 Cameras must film toward the wall (as opposed to down the hallway) in these designated
5 areas that are marked by signage.

6 For photography, filming, recording, or broadcasting within or on the grounds of the Juvenile
7 Court, see the Juvenile Court Media Policy, available on the court’s website at
8 www.sdcourt.ca.gov/Juvenile. The Kearny Mesa Branch of the court has no authorized designated
9 media area; any and all photography, filming, recording, and broadcasting within or on the grounds
10 of that facility is prohibited without written judicial authorization.

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO		<i>FOR COURT USE ONLY</i>
<input checked="" type="checkbox"/> CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101 <input type="checkbox"/> CENTRAL DIVISION, COUNTY COURTHOUSE, 220 W. BROADWAY, SAN DIEGO, CA 92101 <input type="checkbox"/> CENTRAL DIVISION, HALL OF JUSTICE, 330 W. BROADWAY, SAN DIEGO, CA 92101 <input type="checkbox"/> CENTRAL DIVISION, FAMILY COURT, 1555 6TH AVE., SAN DIEGO, CA 92101 <input type="checkbox"/> CENTRAL DIVISION, MADGE BRADLEY, 1409 4TH AVE., SAN DIEGO, CA 92101 <input type="checkbox"/> CENTRAL DIVISION, KEARNY MESA, 8950 CLAIREMONT MESA BLVD., SAN DIEGO, CA 92123 <input type="checkbox"/> CENTRAL DIVISION, JUVENILE COURT, 2851 MEADOW LARK DR., SAN DIEGO, CA 92123 <input type="checkbox"/> EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020 <input type="checkbox"/> NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081 <input type="checkbox"/> NORTH COUNTY DIVISION, JUVENILE COURT, 325 S. MELROSE DR., VISTA, CA 92081 <input type="checkbox"/> SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910		FILED <small>Clerk of the Superior Court</small> DEC 28 2023
PLAINTIFF(S)/PETITIONER(S)		
DEFENDANT(S)/RESPONDENT(S)		JUDGE: MICHAEL T. SMYTHO DEPT: PRESIDING
CLERK'S CERTIFICATE OF SERVICE BY MAIL		CASE NUMBER ORDER NO. 010124-02

I certify that I am not a party to the above-entitled cause, that I placed a copy of the following document(s): GENERAL ORDER OF THE PRESIDING DEPARTMENT ORDER NO. 010124-02 IN RE: PROCEDURE REGULATING PHOTOGRAPHY, RECORDING, AND BROADCASTING IN COURTHOUSE

in a sealed envelope addressed to the parties shown with postage prepaid, and deposited it in the United States mail at
 Chula Vista El Cajon San Diego Vista, California.

NAME & ADDRESS

KELLY A. MARTINEZ
SAN DIEGO SHERIFF'S DEPARTMENT
9621 RIDGEHAVEN COURT
SAN DIEGO CA 92123

NAME & ADDRESS

Clerk of the Superior Court

Date: December 28, 2023

by A. Husted, Deputy
A. HUSTED