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FILED
FEB 27 2025

Clerk of the Court
Superior Court of CA County of Santa Clara
BY *Chau* DEPUTY
C. Pham

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SANTA CLARA

STANDING ORDER

**USE OF RECORDING DEVICES IN AND AROUND
COURTHOUSE FACILITIES
AND OVER AUDIO OR VIDEO PLATFORMS**

This Court HEREBY FINDS AND ORDERS AS FOLLOWS:

It is well settled that while the media has the right to attend and report on open judicial proceedings, there is no constitutional right to photograph or otherwise electronically record them. (See *Marin Independent Journal v. Municipal Court* (1993) 12 Cal.App.4th 1712, 1718 (“Electronic recording of judicial proceedings is subject to the discretion of the court”), citing *Nixon v. Warner Communications, Inc.* (1978) 435 U.S. 589, 610.) Furthermore, a courthouse facility qualifies as a nonpublic forum. (See, e.g. *United States v. Grace* (1983) 461 U.S. 171, 178.) Courts may regulate all expressive activities within court facilities, on courthouse grounds and in remote court proceedings. (See *Comfort v. MacLaughlin* (C.D. Cal. 2006) 473 F.Supp.2d 1026).

Consistent with case law, California Rules of Court, rule 1.150 and Superior Court of California, County of Santa Clara General Court and Administration Rules, Rule 2, unless

1 permitted upon proper Order of the Court, no photographs, video recordings or audio recordings
2 may be taken with any device capable of photographing, recording or broadcasting (1) in
3 any courtroom, courthouse facility, and courthouse entrance or exit, regardless of whether the
4 photograph, video recording or audio recording is taken from inside or outside the courthouse; or
5 (2) of court proceedings over any audio or video platform. Taking photographs, video recordings
6 or audio recordings in any courtroom, courthouse facility, courthouse entrance or exit, regardless
7 of whether the photograph, video recording or audio recording is taken from inside or outside the
8 courthouse, or of a court proceeding over any audio or video platform without proper Order of the
9 Court may be considered a violation of various statutes and rules and may be referred for
10 prosecution. (See Penal Code §632.) This order supersedes every prior order related to use of
11 recording devices in courthouse facilities.

12 IT IS SO ORDERED.

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14 Dated: February 27, 2025



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Presiding Judge Julie A. Emede
Santa Clara County Superior Court