

OCT 19 2018

Clerk of the Superior Court
Bianca Fasuescu
CLERK

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN THE COUNTY OF SAN MATEO

SUPERIOR COURT OF CALIFORNIA) **STANDING ORDER 18 – 147**
COUNTY OF SAN MATEO) Standing Order Regarding Possession of
) Recording Devices and Recording in
) Courthouse
_____)

IT IS HEREBY ORDERED that, commencing October 22, 2018 and continuing until modified by the Presiding Judge of the San Mateo County Superior Court, the use and possession of photographing, recording, and/or broadcasting devices in the courthouses of the San Mateo County Superior Court, including but not limited to the Hall of Justice, the Traffic Court, the Northern Branch Court Facility in South San Francisco, and the Juvenile Court, is prohibited except as permitted pursuant to the procedures set forth in California Rules of Court, Rule 1.150.

- (a) Possession of Devices. No audio recording devices, video recording devices, or any other devices capable of “photographing” and/or “recording” and/or “broadcasting” shall be brought into any courthouse facility absent written order of the Supervising Judge of the specific courthouse facility. Any device brought within the courthouse that appears capable of violating this section is subject to confiscation. This section (a) shall not apply to cellular telephones.
- (b) Use of Devices. Any and all “photographing” and/or “recording” and/or “broadcasting” of people, things, conversations, or proceedings is strictly prohibited in any courthouse facility, including but not limited to stairways, elevators, waiting areas, hallways, entrances, security screening stations, service areas, through windows, through doors, and with respect to any other accessible areas of courthouse facilities whether access was intended or not, absent written order of the Supervising Judge of the specific courthouse facility. This section (b) shall apply to use of cellular telephones.

If a person is suspected of violating this rule, a direct verbal warning should be given to the individual. In appropriate circumstances, court security may exercise its discretion to temporarily take custody of the electronic device until the person exits the court facility. If court security concludes that a recording has already occurred in violation of this rule or if the nature of the recording otherwise could jeopardize security of the facility, the safety of parties, witnesses, court personnel or judicial officers, court security may request that the recording be erased by the owner or may ask the owner for permission to access the device. If the owner refuses to erase the material or provide access, the deputy is authorized to temporarily retain the recording device while determining whether to seek a search warrant. If no application for a warrant is made or a warrant is declined, the device will be promptly returned to the owner. All applicable laws pertaining to search warrants shall apply. If the warrant is issued, court security will retain the device as directed in the warrant and/or Penal Code section 1536. If the deputy finds probable cause to conclude that a violation of a court order or a crime has been committed, the matter may be processed for possible arrest.

- (c) Sections (a) and (b) shall not apply to County or Court employees or contractors to the extent they use or possess a prohibited device while in the courthouse for performance of County or Court business (e.g., using a video camera to record a deposition that takes place in the office of the County Counsel).
- (d) Courts have inherent supervisory or administrative duties to maintain orderly conduct of judicial proceedings and the orderly administration of justice. Any violation of this order, or of California Rule of Court, Rule 1.150, is an unlawful interference with court proceedings and may be the basis for a citation for contempt of court, or an order imposing monetary or other sanctions as provided by law.
- (e) This order shall supersede Standing Order 2010-108, issued August 27, 2010.

This order shall remain in effect indefinitely and until such time as the order is vacated or superseded by the Presiding Judge.

Dated: **OCT 19 2018**

SUSAN IRENE ETEZADI

Susan Irene Etezadi, Presiding Judge