

## NOTICE TO THE BAR

### **PUBLIC ACCESS TO COURT EVENTS DURING COVID-19 – DIRECTIVES #11-20 (“SUPREME COURT GUIDELINES ON MEDIA ACCESS AND ELECTRONIC DEVICES IN THE COURTS”) AND #12-20 (“PRINCIPLES AND PROTOCOLS FOR VIRTUAL COURT OPERATIONS DURING THE COVID-19 CORONAVIRUS PANDEMIC”)**

During the COVID-19 pandemic, as always, the New Jersey courts are committed to ensuring public access to court events and records of those events. The New Jersey courts yesterday issued two administrative directives that relate, in part, to public access to court events and records of those events. This notice highlights the public access provisions of those important policies.

(1) Directive #11-20 (“Supreme Court Guidelines on Media Access and Electronic Devices in the Courts”)

The Supreme Court has approved updated [Guidelines on Media Access and Electronic Devices in the Courts](#) (“Guidelines”), which are effective immediately. The Guidelines balance our commitment to public access and our duty to safeguard court users, both during the present crisis where all proceedings are remote as well as during more normal times. The Guidelines incorporate and reissue the [Request to Photograph, Electronically Record, or Broadcast a Court Proceeding form](#), which remains in effect during COVID-19. As always, persons who seek to photograph, record, or broadcast court proceedings – including remote court proceedings – must in advance request and obtain permission from the Assignment Judge or designee.

(2) Directive #12-20 (“Principles and Protocols for Virtual Court Operations During the COVID-19 Coronavirus Pandemic – (1) Methods of Conducting Remote Court Events; (2) Access to the Public Record; and (3) Posting of Events Guidance”)

[Directive #12-20](#) implements the Supreme Court's April 20, 2020 Order and establishes guiding principles for when and how remote court events will be conducted during the COVID-19 crisis.

In part, the directive elaborates on the multiple ways that the New Jersey courts are ensuring public access to remote court events, including events that are livestreamed and those that require individualized permission for real-time viewing. Permission to observe court events that are not publicly livestreamed must be requested and will be granted conditioned on the observer agreeing not to record or

broadcast the court event absent specific written permission from the Assignment Judge or designee, consistent with the Guidelines.

In addition to the option of real-time participation, Directive #12-20 promulgates a new [Request for Audio or Video Records of Remote Court Proceedings During COVID-19 Crisis form](#) to be used during the pandemic. Video or audio records of remote court events are available for personal use only, and the person submitting the request must agree not to photograph, share, or broadcast the recording without explicit written permission.

Directive #12-20 also provides additional information regarding the handling of typical court events in the trial divisions of the Superior Court (Civil, Criminal, and Family) and in the Municipal Courts. A first iteration of that [Events Guidance](#) has been posted on the Judiciary's public website.

Questions on this notice should be directed to the Office of the Administrative Director of the Courts.



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Hon. Glenn A. Grant, J.A.D.  
Acting Administrative Director of the Courts

Dated: April 28, 2020