



Covering Oregon's Circuit Courts

A Guide for Journalists



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Covering Oregon’s Circuit Courts: A Guide for Journalists

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Quick Tips and Resources

➤ Washington County Circuit Court

- [Court website](#)
- [Court-specific media information](#)
- [Court records](#)
- **Media access email:** wsh.media@ojd.state.or.us
- **Trial Court Administrator:** Richard Moellmer, 503-846-8888, ext. 70568, Richard.E.Moellmer@ojd.state.or.us

Top 7 webpages for covering Oregon's state courts

1. [About the Oregon Judicial Department](#) (introduction to Oregon's state courts and the Office of the State Court Administrator)
2. [Find a Court](#) (links to information on all types of courts in Oregon, Trial Court Administrators, Presiding Judges, Judges, trial court locations, and more)
3. [Find a Case or Court Record](#)
4. [Find a Court Date](#)
5. [Find Court Rules](#)
6. [Find a Court Opinion](#) (Supreme Court, Court of Appeals, Tax Court)
7. [News and Media Releases](#) (media contacts; releases from OJD and appellate courts)

Media access to circuit court courtrooms and courthouses

[Uniform Trial Court Rule \(UTCRC\) 3.180](#) is the most important rule to know and follow. Most notably, a judge must approve **in advance** all electronic note-taking, recording, and transmission in their courtroom. UTCRC 3.180 also addresses remote proceedings.

Each circuit court may also have [Supplementary Local Rules](#) (SLRs) regarding media coverage in courtrooms and on courthouse premises, and individual judges may impose additional conditions, depending on the case.

If you are new to a particular circuit court, ask the [Trial Court Administrator](#) to fill you in on the rules. You can also find rules on the [webpages for individual courts](#) (usually in the "Going to Court" section).

Circuit court decisions can be appealed to the Court of Appeals and Oregon Supreme Court, which have a separate rule on media access. [Oregon Rules of Appellate Procedure \(ORAP\) 8.35](#). [Additional information about court rules](#).

The next page provides a summary of UTCRC 3.180. [You can also find this summary online](#).

Rules for Media Coverage at the Courts

Electronic note-taking and recording generally are allowed, but the court needs to approve in advance.

Courts have an important duty to balance two fundamental constitutional rights: the right to a free press and the right to a fair trial.

To do this, our courts must consider both the public's right to attend courtroom proceedings and the ways that having media in the courtroom can influence the fairness of a proceeding. We work to foster an environment where, as much as possible, we can protect the safety and privacy of parties, victims, jurors, and witnesses so that they do not fear reprisal for their participation.

We appreciate you taking these concerns seriously and following our rules.

Definitions

Electronic recording:

- Video or audio recording and still photography.
- Includes using a cell phone, tablet, computer, camera, audio recorder, or any other means.

Electronic writing:

- Taking notes or otherwise writing by electronic means.
- Includes, but is not limited to, word processing software, texts, emails, and instant messages.

Electronic transmission:

- Sending electronic recordings or writings.
- Includes, but is not limited to, emails, texts, instant messages, live-streaming, or posting to social media or networking services.

You need **ADVANCE** permission from the presiding judge or designee before you:

- Take electronic notes or do other electronic writing in the courtroom.
- Electronically record in the courtroom or other court areas, including hallways and lobbies.
- Transmit electronic recordings or writings from the courtroom, including live-streaming and transferring video files electronically.
- Transmit electronic writing directly and specifically to a witness while remotely observing or participating in a proceeding, unless the witness has been excused by the court.

You need separate permission for each item listed here.

Having permission for recording or electronic writing does **NOT** automatically give you permission to transmit your recording or writing.

The court may:

- **Limit the number, type, location, and operation of electronic devices.** Generally, a total of one video camera, one still camera, and one audio recorder are allowed.
- **Require pool coverage.** All pooling arrangements are up to the media participants, including arrangements for sharing, verifying technical capabilities, and resolving disputes.
- **Allow you to write or record, but not transmit** (specific permission is required for each).
- **Impose other limits** to preserve decorum or protect jurors, witnesses, or parties. Check with the trial court administrator to learn more.
- **Deny your request** if you cannot demonstrate that you understand this rule.
- **Terminate permissions** if rules are violated or media can't agree on pooling.

Recording is never allowed for:

- Juvenile cases.
- Many family law cases (dissolution, paternity, custody, visitation, support)
- Civil commitment proceedings
- Protective orders (abuse, restraining, stalking orders)
- Voir dire (jury selection)
- Proceedings related to sex crimes, if the victim has requested no recording
- Private conversations or notes (including with judges, attorneys, and clients)
- Jurors in any court area during the course of the juror's trial
- Times when the court is in recess or off the record

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OJD and DOJ are Not the Same

OJD: Oregon Judicial Department, which is the judicial branch of government and includes the state circuit courts, Tax Court, Court of Appeals, Supreme Court, and the Office of the State Court Administrator.

DOJ: [Oregon Department of Justice](#), which is the Attorney General’s office.

It is common for the public and media to confuse the two.

Differences in Covering Courts vs. Other Public Bodies		
	Other Public Bodies	Courts
Officials can comment on current issues they are dealing with	YES	NO
Actions and decisions guided by public opinion	YES	NO
Candidates can take positions on specific issues	YES	NO
Candidates and office holders can respond directly to personal attacks or criticism of their actions	YES	NO
Most “meetings” open to the public	YES	YES
Most “meetings” can be freely recorded without special permission	YES	NO
Interviews allowed in most spaces open to the public	YES	NO
Reporters can ask questions during public proceedings	NO	NO
Reporters can freely interview participants	YES	NO
Dress code expectations for media	NO	YES
Most documents are available to the public	YES	YES

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Sources: General Information

- [Oregon Judicial Department website](#): All information about Oregon state courts and related services. **Even though circuit courts have “county” in their name, they are state courts.** See the other kinds of courts below.
- [About the Oregon Judicial Department \(OJD\)](#): Descriptions of different types of courts and the court structure.
- [Oregon Blue Book Judicial Branch webpage](#): Court-related info in one easy menu; published by Secretary of State.
- [Reports, Statistics, & Performance Measures](#): The Data Dashboards and Circuit Court Statistics tab may be especially useful.
- **Municipal, justice, and county courts (these courts are NOT part of OJD):**
 - [General information from Oregon Blue Book](#) (listed under “Related Organizations”)
 - [OJD’s webpage about these courts](#), including a registry that is searchable by court name, city, or county.
- [Internet Resources for Oregon Lawyers](#): Information on state and federal courts, cases, laws, and court rules; maintained by the Oregon State Bar.
- [Oregon Law Help](#): Free legal information for the public.

Sources: Court Records, Data, and Related Information

Circuit courts

Documents filed with the circuit court for a particular case become part of that case’s file and are almost always public record (with a few rare exceptions).

You can find free [basic case information and court calendar information online](#). The free basic information includes things such as whether a person has ever gotten a traffic ticket, been sued in circuit court, or had a criminal case.

More detailed information, including related documents, is available for remote access by subscription: [Oregon Judicial Case Information Network \(OJCIN\)](#). Most of the detailed information is also available for free at public computers or kiosks at the courthouse.

You also can request case documents from the individual circuit court in person or online. See “Court Records” on the court’s homepage. You might need to complete a short request form. If in doubt, contact the records department or ask the Trial Court Administrator.

Links to other circuit court information

- [About the circuit courts](#) (introduction – scroll to Circuit Courts)
- [Find an Oregon state court](#) (locations, hours, information, contacts, etc.)
- [State court calendars](#) (dockets)

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Public records requests

Though you can access many records through less formal channels, sometimes it is helpful to make a public records request for data or other documents. [How to request public records from OJD](#).

Records from multiple circuit courts

If you are looking for data or court records from multiple circuit courts, rather than contacting each court individually, it is sometimes helpful to contact the OJD public information staff noted below or make a public records request to OJD.

Custody status

You can get information on custody status (finding out if someone is in jail, released, etc.) and sign up for notifications of custody status changes from [VISOR \(Victim Information System in Oregon\)](#). Please note that VISOR is **NOT** an OJD source. Many county sheriffs' offices also maintain current custody lists on their websites.

Search warrants

Search warrants are only public and accessible after they have been served. [ORS 132.410](#)

Criminal histories

OJD generally has information on a person's charges and convictions in Oregon circuit courts. You can access that information:

- through the free OJD online [Smart Search](#); or
- by subscribing to [OJCIN \(Oregon Judicial Case Information Network\) or using the free terminal at the courthouse](#). OJCIN is a paid subscription resource for remote access to court case information from all 36 of Oregon's circuit courts, and also the Tax Court and appellate courts. Some cases or case documents are confidential by law and therefore not available to the public.

More complete information on a person's criminal history (arrests, charges, and convictions in municipal or justice courts, etc.) can be obtained:

- through the prosecutor's office if the person is being charged; or
- by contacting the Oregon State Police, which maintains a [criminal history database](#) of all convictions in the state as well as a database of all [people registered as sex offenders](#).

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Sources: People

Oregon Judicial Department

Media requests email: media@ojd.state.or.us

Public Information Officer (primary contact)

Todd Sprague, 503-986-5524

Communications Coordinator (secondary contact)

Sarah Evans, 971-372-1850

[Office of the State Court Administrator](#) (central administrative office for state courts)

Circuit courts

The **Trial Court Administrator (TCA)** is often your best contact and local resource. [Find TCA for each circuit court.](#)

Judges

Judges can be good sources regarding court processes, jury issues, and other issues affecting courts and the law. However, the Oregon Code of Judicial Conduct restricts them from commenting on cases pending or impending in their court or other Oregon courts. See note below.

In Oregon, each court has a **presiding judge** who can serve as the spokesperson for the court. Developing a relationship with that judge, and the local **TCA** (who might also act as a spokesperson and answer a wide range of questions), can improve your court reporting.

- [Photographs of the judges](#) (when available, alphabetical and by judicial district)
- [Presiding judges for each circuit court, by county](#)

Why judges may not be able to comment

As noted above, the Oregon Code of Judicial Conduct generally prohibits a judge from discussing the details of a specific case that in their judgment would impair the fairness of a past, present, or future case. (See [Code of Judicial Conduct Rule 3.3\(C\)](#).) For example, a judge can provide general information about the procedural steps in a felony case, but cannot comment about a particular case in their court.

Attorneys

It may be helpful to talk with the attorneys involved in a case. If you're looking for a particular lawyer, the Oregon State Bar (OSB) maintains an [online member list](#).

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For questions about lawyers, contact Kateri Walsh at OSB: kwalsh@osbar.org or 503-431-6406 (desk), 503-860-1683 (cell).

Court security

Court security is generally provided by the county sheriff's office, not the court. The sheriff's office may be your best source for security-related questions.

Jurors

By law, juror names are not used during a proceeding and photographs or video recordings of serving jurors are not allowed. Nor are jurors allowed to talk with anyone about the case until it is concluded.

At the conclusion of a criminal or civil trial, judges will typically advise jurors that they may decide for themselves whether to speak to anyone about their deliberations. The court does not facilitate communication with jurors.

Neutral experts (including lawyer experts)

Though the lawyers and judge directly involved in a case may not be able or willing to speak to reporters, it is often possible to get comments and insights from other legal experts.

- Legal scholars at the state's law schools ([Lewis and Clark](#), [University of Oregon](#), and [Willamette University](#)).
- Oregon State Bar Association, or the specialty/minority bar associations, reachable through the [Oregon State Bar](#). Contact Kateri Walsh at OSB: kwalsh@osbar.org or 503-431-6406 (desk), 503-860-1683 (cell).

Practical Tips for Media Coverage of the Courts

Adapted with permission from [The Journalist's Guide to Maryland's Legal System](#)

Planning

- **Dates, times, and locations of proceedings constantly change.** Be sure to regularly check the appropriate court calendar for the latest information.

At the courthouse

- **You will have to clear security in many courthouses.** Make sure to build in a little extra time for this.

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- **Watch what you say around jurors and witnesses.** It is natural to talk about what just went on in court. However, during courtroom breaks, reporters, jurors, and witnesses sometimes share the same hallway, elevators, restrooms, and cafeterias. If jurors or witnesses overhear your conversations, a mistrial could result.
- **Know the rules.**
 - **While court is in session you must abide by the judge's rules.** Some will prohibit anyone from leaving the courtroom until and unless there is a recess. Others will allow reporters and the public in and out of the courtroom as needed. Whatever the guidelines — and this includes where reporters/artists/photographers sit — you must abide by them. Any significant problems can be directed to the court's presiding judge.
 - **There are multiple restrictions on the use of electronic and recording devices, including a requirement for advance permission in most instances.** See pages 2-3 of this guide for more information.
 - **Do not let your cell phone ring in court.** Set your equipment to silent (or turn your phone off if that is required by the judge). If you have a laptop computer, you will need to ask permission to use it in court (see UTCR 3.180 and local rules). You may be asked to sit in the back row so that you do not disturb others.
 - **Do not conduct interviews in any part of the courtroom while court is in session.**
 - Though the courthouse is a public building and most hallways are considered public areas, **the trial judge or presiding judge may place restrictions on interviews in the courthouse or on courthouse grounds.**
 - **Outside the courtroom, you may request interviews (though never with jurors while they are sitting on a trial),** and participants in a trial have a right to refuse them. If they accept your request, you may need to conduct the interview in a designated location, depending on the rules for the individual court and case.

Writing your story

- **Avoid legal terminology when simpler terms will do.** Check out the National Center for State Courts' [Interactive Plain Language Glossary](#) that identifies and defines commonly-used legal terms, with suggestions for how to describe them in plain language. That said, be aware that legal terms have specific meanings (for example, "prisons" and "jails" are different and the words should not be used interchangeably).
- **Avoid the term "legal technicality."** Reporters and others often use this phrase when the government has violated an individual's constitutional rights in an effort to prove its case (e.g., unreasonable searches and seizures). Preservation of a constitutional right is **not** a "technicality," so please avoid calling it that. Instead, consider saying something

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like, “the court ruled that the evidence was not admissible because the search, conducted without a warrant, violated the defendant’s constitutional rights.”

- [Understanding pretrial release and “bail”](#)
- **Tips from other journalists**
 - [Reporting on the Courts](#) by Tony Rogers
 - [Court Reporting and Legal Journalism Writing Guide](#) by Tony Rogers

Tips for Covering High-Profile Cases

The following is an excerpt from a resource developed by the National Center for State Courts and the Conference of Court Public Information Officers. [Read the full resource.](#)

What the courts want the media to understand

A high-profile case is one of hundreds or thousands of cases being heard at any given time in the specific court location. Each case requires individualized attention. It is the court’s responsibility to ensure every case gets a full and fair hearing within statutorily required timelines, whether the media is there or not. The following additional points should be considered by the media:

- The trial judge should not be the media’s first point of contact about the case, as the judicial code of conduct significantly limits what the trial judge can say about the case.
- The court will provide media with the name and contact information for the primary court staff member (or court public information officer, PIO) serving as liaison with the media.
- Court PIOs (only Multnomah County Circuit Court has its own PIO) or designated court staff (often the Trial Court Administrator) can provide the media with information which will give the public a much more robust understanding of the proceedings, but there are also limits as to what they can say.
- Court PIOs and Trial Court Administrators are excellent resources to fact check stories and help you provide the public with an accurate understanding of the proceedings.
- The relationship between the court and the media works more effectively if there is trust between the two. The court will make every effort to earn that trust.
- The judge has the responsibility for managing the case inside and out of the courtroom to ensure, to the best of their ability, a fair and orderly disposition of the case.
- The court will endeavor to compile and distribute logistical information in advance of the initial hearing, i.e., parking, access, seating, security, credentialing, Wi-Fi capabilities, electronic device restrictions, interview opportunities or restrictions, photography and audio-recording parameters, and expected courtroom and courthouse behavior.
- Ask the court PIO or Trial Court Administrator for information regarding local resources and how to access case documents, procedural resources, exhibits, the courthouse, the courtroom, subject matter experts, judicial officers, IT support, the court administration and security.