



ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

JAMES C. DUFF
Director

WASHINGTON, D.C. 20544

December 2, 2020

Via Email Transmission

Ms. Melissa Bevan Melewsky
Pennsylvania News Media Association
melissam@pa-news.org

Via Email Transmission

Ms. Paula Knudsen Burke
Reporters Committee for Freedom of the Press
Pknudsen@rcfp.org

Dear Ms. Melewsky and Ms. Burke:

I write in response to your letter dated November 18, 2020, regarding access to the November 17, 2020, hearing in the case of *Donald J. Trump for President v. Boockvar, et. al.*, 4:20-CV-02078 conducted in the United States District Court, Middle District of Pennsylvania. The Judiciary takes its responsibility to ensure public access to court proceedings seriously and has adjusted its practices to ensure such access in the face of a global pandemic, when courthouse entry is limited, to protect the health and safety of the public and court staff. This is reflected in the steps the Judiciary took to provide public access to the hearing at issue.

With respect to the telephonic public access provided, prior to the hearing, the Administrative Office worked with the court to set-up a phone bridge that could accommodate up to 4,000 simultaneous access lines, far in excess of the number of public access lines ever provided for a federal court hearing. When it became apparent that 4,000 conference lines might not be sufficient for the level of public interest on the morning of the hearing, Administrative Office staff worked quickly with the court to double conference line capacity to 8,000. The unfortunate breakdown of the conference lines during this hearing was, like any other malfunction or failure by a third-party service provider, outside of the control of the court. Further, although the conference lines temporarily failed during the hearing, the presiding judge recessed the hearing, and a notice was immediately posted on the court's website alerting the public to the delay until the conference lines were again functional. These actions ensured that members of the public were not denied access to the hearing and were consistent with the suggestions made by the Reporters Committee for Freedom of the Press in a previous communication to the Administrative Office.

With respect to your request that the Administrative Office expand the temporary exception to the broadcasting policy, including designating a news outlet to create a pool feed for the press and public, such action is beyond the Administrative Office's authority. The Judicial Conference of the United States has sole authority to establish Judiciary policy in this area. The Executive Committee of the Judicial Conference approved a temporary exception to Conference's broadcast/cameras policy during the pandemic, which the Middle District of

Ms. Melissa Bevan Melewsky

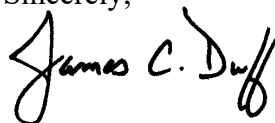
Ms. Paula Knudsen Burke

Page 2

Pennsylvania utilized for the hearing in question, but the ban on broadcasting district court proceedings otherwise continues to exist. Please note that the Judicial Conference recently approved a pilot program permitting participating pilot courts to livestream audio of certain/select civil proceedings of public interest with the consent of the parties-expected to begin in early 2021.

Thank you for sharing your concerns.

Sincerely,

A handwritten signature in black ink that reads "James C. Duff". The signature is written in a cursive, slightly slanted style.

James C. Duff
Director

cc: Peter J. Welsh
David A. Sellers