



1440 G St. NW, Ste. 800
Washington, D.C., 20005

Hon. Margaret Carter
First Circuit U.S. Court of Appeals
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Boston, MA, 02210

March 27, 2017

Dear Ms. Carter:

This is Gabe Roth from [Fix the Court](#), a national nonpartisan organization that advocates for a more open and accountable U.S. Supreme Court.

Part of that advocacy, I believe, is looking at whether federal appeals courts are also operating under best practices in government transparency. In many respects, circuit courts are far ahead of the Supreme Court in terms of how its judges [check](#) for conflicts of interest and [report](#) their reimbursed travel expenses. Unlike the high court, which posts oral argument audio online on Friday afternoon, nearly every appeals court posts argument audio within 24 or 48 hours of a case being heard.

That said, it's a shame that only one appeals court today, the Ninth Circuit, livestreams its hearings. That court's Feb. 7 audio stream of the travel ban TRO reached an astounding 137,000 people via the court's website and 1.5 million more Americans via CNN's uninterrupted broadcast.

Given the extraordinary interest in that case and in a number of coming appeals, I am writing to encourage the First Circuit to follow the Ninth Circuit's lead by **live-streaming argument audio** in its closely watched cases. The constitutionality of the Consumer Financial Protection Board, the validity of certain voter ID laws, a number of bathroom bills and the routes of multi-state pipelines, for example, are all issues that are expected to be argued in circuit courts later this year that will garner wide public interest.

The technological requirements for livestreaming audio are minimal - even the Supreme Court can do this, as it livestreamed Justice Scalia's [courtroom memorial](#) in November - and I am confident the Ninth Circuit would assist with any questions you may have.

Fix the Court was founded on the belief that the American people would appreciate and respect the federal judiciary so much more if we could more readily see and hear its judges grapple with the most important issues of the day. We never anticipated the judiciary would be under attack as it is now, but in our minds, that only increases the need for greater real-time access to its important work.

Thank you for your attention to this matter,
Gabe Roth
Executive Director
Fix the Court