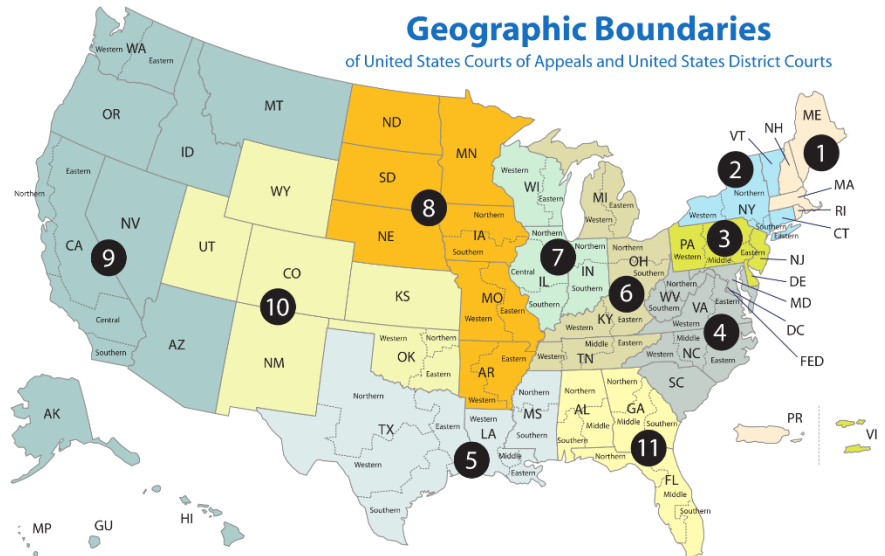


## Fix the Court Looks at Broadcast Access in the Federal Judiciary (Feb. 2017)

While all 14 federal appeals courts, including the U.S. Supreme Court, record oral argument audio, **only three allow video**: the **Ninth Circuit**, which, as of 2015, live-streams all of its arguments online; the **Second Circuit**, which has allowed video recording for 15 high-profile cases over the last two decades; and the **Third Circuit**, which begin video recording in January 2017.

Nearly all federal appeals courts, **save the U.S. Supreme Court**, release audio recordings online on the day in which a case is argued, a policy often referred to as “**same-day audio**.” The Supreme Court has been asked for same-day audio more than 60 times since 2000 by media and pro-transparency groups yet has **only granted 26 of those requests**, most recently for the April 2015 arguments in the same-sex marriage case, *Obergefell v. Hodges*.



Since then, Fix the Court has requested same-day audio for high court cases on abortion, immigration, disparaging trademarks and post-Sept. 11 detentions; all of these requests have been denied. (Sources: 2016 GAO report on appellate courts; Federal Bar Association)

<b>Federal appeals court</b>	<i>Allows video recording of oral arguments?</i>	<i>Posts audio recordings of oral arguments on the court's website?</i>	<i>Audio recordings of oral arguments are typically posted on the day in which arguments are heard?</i>
Supreme Court	<b>No</b>	Yes, since 2010	<b>No</b>
First Circuit	<b>No</b>	Yes, since 2008	Yes
Second Circuit	Yes, since 1996	Yes, since 2016	Yes
Third Circuit	Yes, since 2017	Yes, since 2009	Yes
Fourth Circuit	<b>No</b>	Yes, since 2011	Yes
Fifth Circuit	<b>No</b>	Yes, since 2008	Yes
Sixth Circuit	<b>No</b>	Yes, since 2013	Yes
Seventh Circuit	<b>No</b>	Yes, since 2002	Yes
Eighth Circuit	<b>No</b>	Yes, since 2000	Yes
Ninth Circuit	Yes, since 1996	Yes, since 2003	Yes
Tenth Circuit	<b>No</b>	<b>Not regularly</b> but has done so for a few high-profile cases	<b>No</b>
Eleventh Circuit	<b>No</b>	<b>No</b> , but recently announced it will begin to do so in April 2017	<b>Unclear if they will be</b>
D.C. Circuit	<b>No</b>	Yes, since 2013	Yes
Federal Circuit	<b>No</b>	Yes, since 2007	Yes