

Judicial Wellness, Workplace Conduct and Broadcast Policies in Federal Appeals Courts

Fix the Court | Updated June 3, 2019

	Judicial wellness committee?	Workplace conduct committee?	Audio policy for oral argument	Video policy for oral argument
1st	Wellness committee established in 2018	Announced creation of committee and director of workplace relations in Mar. 2019	Same-day audio	Not allowed
2nd	Does not have a wellness committee	Does not have its own committee but "is working with the Chief Justice's [national] group" (12/20/18 e-mail to FTC)	Same-day audio; rejected FTC live audio request for Jan. 2019 tech liability case	Has allowed C-SPAN to film ~1 argument per year since end of 1996 pilot; most recently recorded Jan. 2019 DACA case
3rd	Wellness committee established in 2017	Does not have its own workplace conduct committee	Same-day audio	Since Jan. 2017 policy change, 47 args recorded; most recent was May 2019
4th	Chief Judge Gregory has spoken with counterparts about establishing a JWC, though one has yet to be established	Gregory is working on appointing judges and staff to workplace conduct committee and in June 2019 listed job opening for workplace relations director	Same-day audio but allowed live audio for two 2017 travel ban cases; most recently rejected FTC live audio request for May 2019 death penalty case	Not allowed
5th	Chief Judge Stewart created a Judicial Impairment Protocol Committee in 2017	Stewart has "appointed committee to make recommendations in area of workplace conduct" (12/19/18 e-mail to FTC)	Same-day audio; will be asked by FTC and partners to livestream upcoming cases on "ban the box" and the ACA	Not allowed
6th	Was studying health and wellness issues in 2017 but no updates since	Does not have its own workplace conduct committee	Same-day audio; standing request for live audio "has not [been] met with much enthusiasm" (6/3/19 e-mail to FTC)	Not allowed
7th	Has informal policy where judges monitor each others' health, and wellness is a panel topic at conferences	Chief Judge Wood appointed a workplace conduct committee in Dec. 2017	Same-day audio	Has video-recorded two arguments since Sept. 2018 policy change to allow video, most recent was Nov. 2018
8th	Chief Judge Smith created a Judicial Council Wellness Committee in 2018	Is awaiting "model plans from the national groups" before forming its own committee (12/20/18 e-mail to FTC)	Same-day audio; rejected FTC live audio request for Apr. 2019 QI case; would consider live if AO provided funding	Not allowed
9th	Created first appeals court wellness committee in 2000	Created a working group on workplace conduct in Feb. 2018	Routinely allows live audio	Routinely allows live video
10th	Created a Judicial Health and Assistance Committee in last few years based on 9th Circuit's wellness committee model	"Has not formed its own working group" but is tapping into national one through 10th Circuit participation (12/19/18 e-mail to FTC)	Judges voted in Jan. 2018 to begin releasing audio online within day or two of argument	Not allowed
11th	No response to Fix the Court inquiry	Does not have its own workplace conduct committee	Same-day audio as of Apr. 2017	Not allowed
D.C.	Has advisory committee to address aging-related issues	Created its own workplace conduct group in May 2018	As of Sept. 2018, permits live audio for all cases not under seal	Has closed-circuit cameras in courtroom but hasn't broadcast cases
Fed.	"Has occupational health nurse on site" but no formal committee	Has not formed committee but "continues to participate in [national] discussions [...] as to how best to prevent workplace misconduct" (12/20/19 e-mail to FTC)	Same-day audio	Has closed-circuit cameras in courtroom but hasn't broadcast cases; "doesn't have plans to video-record court arguments in near future" (5/29/19 e-mail to FTC)
S.C.	No official wellness policy	Does not have its own committee	End-of-week audio	Not allowed