

## Quotes on Cameras in the Courtroom and Livestreaming Oral Arguments

### Views from Supreme Court

**Then-Judge Amy Coney Barrett** during her Supreme Court confirmation hearings: “I would certainly keep an open mind about allowing cameras in the Supreme Court [if confirmed].” [10/14/20; [link](#)] *Ed. note: Barrett was on the panel for the Seventh Circuit’s first-ever video-recorded argument in 2018, which proceeded without incident.*

**Justice Stephen Breyer**, responding to a question on whether argument audio, which is played live in a “Lawyer’s Lounge” inside the Supreme Court building, could be streamed to the larger public: “[Put arguments] **on the radio? I mean, the radio? Fine.** They tried that in the D.C. Circuit. It didn’t hurt anything. Could we experiment with that? Maybe, *but that’s not right in front of us.*” [4/7/14; [link](#)] *Ed. note: emphasis ours since this issue is in front of Senate Judiciary this month.*

**Justice Elena Kagan**: “This is an unbelievable Court to watch. [...] Everybody [is] so prepared, so smart, so obviously deeply concerned about getting to the right answer. I thought, if everybody could see this, it would make people feel so good about this branch of government and how it’s operating. And I thought **it’s such a shame actually that only 200 people a day can get to see it** and then a bunch of other people can read about it, because reading about it is not the same experience as actually seeing these nine justices.” [8/24/11; [link](#)]

### Views from U.S. Courts of Appeals

**Then-Texas Justice Don Willett**, now on the Fifth Circuit: “My court has been webcasting for a decade. **No hiccups. No regrets. No going back.** We inhabit a hyper-partisan age, and there’s enormous civic-education upside in We the People seeing their judges tackle fateful issues with thoughtfulness and civility.” [6/15/17; [link](#)]

**Sixth Circuit Judge (ret.; dec.) Boyce Martin, Jr.**: “I find it rather bewildering that some of the same justices who have serious reservations about placing cameras in the courtroom have also thrust themselves into the public spotlight through their lectures, debates, and books. [...] Televising the oral arguments will not produce the disastrous results predicted by some justices; rather, **it will yield positive results** [and] increase the public’s knowledge of the appellate process.” [2007; [link](#)]

**Second Circuit Judge Gerard Lynch**, using a rare video-recorded hearing to explain appellate practice to the public: “The procedure here is going to involve lawyers making arguments; they are likely to be interrupted and asked a lot of questions by the judges. That’s not because we’re rude. [...] This is, to some degree, our time to ask questions to lawyers to clarify the points that they’re making and the implications of those points, to perhaps raise issues that haven’t been fully addressed [in the briefs].” [9/2/16; [link](#)]

### Views from State Courts

**Tennessee Chief Justice Jeff Bivins**, who’s permitted video for arguments in past, commenting on COVID-era adaptations: “Conducting an oral argument by videoconference [...] is a way to keep our justice system moving forward.” [4/1/20; [link](#)]

**Ohio Chief Justice Maureen O’Connor**: SCOTUS “views itself as truly exceptional, fundamentally unique from all other institutions in a way that cameras would somehow spoil. The problem with this view is that after three decades of other courts using cameras, we don’t have to speculate about the effects. In Ohio, we have been broadcasting our cases live on television and the Internet for almost 10 years. The evidence shows that cameras in the courtrooms are a positive experience. Last month at the National Press Club, [Ken Starr, Neal Katyal and I] considered the arguments against cameras and found them all wanting.” [12/20/13; [link](#)]

### Views from Congress

**Sen. Pat Leahy and Chuck Grassley letter** to Chief Justice Roberts: “We write to urge the Supreme Court to make permanent its recent efforts to increase transparency during the COVID-19 pandemic by providing live audio streams of all oral arguments commencing with its October 2020 term.” [5/29/20; [link](#)] *Ed. note: the Court did livestream the audio of all OT20 arguments.*

**Former Rep. Ted Poe**, also a former Texas trial court judge: “It is time to give the American public the opportunity to see the most important court in the world in action. [...] I was one of the first judges in Texas to allow cameras in the courtroom. It worked. A simple non-intrusive camera would allow for greater transparency and greater faith in the decisions made by the federal government. Lack of seating capacity is no reason to deny the public their right to view what goes on in the third branch of government.” [1/12/17; [link](#)]

