

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SHASTA
PROPOSED CHANGES TO LOCAL RULES OF COURT for July 1, 2023

Comments can be submitted to administration@shasta.courts.ca.gov or (530) 245-6761.

RULE 2.07
COURT SECURITY VIDEO RECORDINGS

The Shasta County Marshal's Office (SCMO) is responsible for the safety and security of all persons entering the courthouse. This responsibility requires the SCMO to respond to all incidents involving safety and security. The SCMO may use video monitoring systems, placed in courthouse public hallways, waiting areas, and some courtrooms, as well as lockups and the Clerk's Offices, to assist in the security of courthouses. No audio is recorded. Not all video is recorded. Recorded video is retained for only a limited period of time. The recordings are not an official record of court proceedings, and may not be used as such. (Government Code section § 69957).

Public disclosure of such recordings presents a security risk, as it will inappropriately disclose significant aspects of the SCMO's security plan. The video monitoring systems are under the control of Court Executive Officer, and any recordings from such systems are maintained in the custody of the SCMO until they are routinely deleted.

No public disclosure of any recordings shall be made except by authority of the Court Executive Officer or his/her designee or order of Court. Any request for a recording must: (1) describe as narrowly as possible, the time, date, and location of the video sought; (2) the specific reasons disclosure is warranted; (3) why there are no other alternatives; and (4) proposals for minimizing the potential impact on overriding interests, including maintaining the court's security, litigants' rights to a fair trial, protection of minor victims and witnesses, privacy interests of jurors, protection of witnesses from embarrassment or intimidation, protection of attorney-client privilege, national security, and the maintenance of courtroom dignity and decorum. (*NBC v. Superior Court* (1999) 20 Cal. 4th 1178, 1222, n. 46.)

(Adopted, effective July 1, 2023)

RULE 13.02
MENTAL COMPETENCY PROCEEDINGS

This rule applies to proceedings in the superior court under Penal Code section 1367 et seq. to determine the mental competency of a criminal defendant. Pursuant to the provisions of Penal code section 1367, et seq., the Court shall appoint one psychiatrist or licensed psychologist, or other expert as the court may deem appropriate, to examine the defendant.

If the defendant or the defendant's counsel informs the Court that the defendant is not seeking a finding of mental incompetence, the Court shall appoint two psychiatrists, licensed psychologists, or a combination thereof. Under no circumstances shall the Court be required to appoint a third expert. Appointment of a third expert shall be made pursuant to the request of the parties, and only at the discretion of the Court, and shall be at the expense of the requesting party.

(Adopted, effective July 1, 2023)