



SHINGLE SPRINGS BAND OF MIWOK INDIANS TRIBAL COURT  
P.O. Box 1340, Shingle Springs, CA 95682

TO ALL PATRONS OF THE TRIBAL COURT.

NO.: AO-2023-01

**ADMINISTRATIVE ORDER RE: TRIBAL  
COURT OPERATIONS**

AS OF September 1, 2023

**SUBJECT: PROHIBITION ON VIDEO AND/OR AUDIO RECORDINGS OF TRIBAL COURT PERSONNEL AND LIMITS ON CELL PHONES, LAPTOPS, TABLETS OR SIMILAR DEVICES.**

**FINDINGS:**

All Tribal Court patrons expect their privacy to be respected. The Tribal Court personnel work to ensure privacy of the information in their care is respected and treated with confidentiality. Information disclosed in court proceedings or hearings is kept confidential and cannot be recorded in any way by those appearing in court. Information discussed by court staff outside of proceedings and hearings is also kept confidential and is meant to assist Court Patrons as they move through the Tribal Court system. Trust is developed between the Court Patrons and the Tribal Court personnel through these processes. Recordings by Court Patrons of the Tribal Court hearings, proceedings or discussions with Court personnel break that trust especially when done without the knowledge of the Court personnel being recorded. At no time can such recordings be allowed.

Similarly, Rule of Court 1.14(C) states that use of a cellular phone when appearing in-person in the Courtroom is an example of inappropriate behavior and is prohibited. The use of cellular phones, laptops or tablets during court proceedings or hearings, even when kept on silent setting, are a distraction. Court proceedings are solemn occasions to examine the often-sensitive information regarding Tribal Members and their families. The use of electronic devices while in the courtroom distracts from the importance of the issues under examination. In recent times the use of cellular phones or other devices during proceedings has increased and has decreased the attention given to the proceedings in progress.

This Administrative Order does not affect Court personnel recording any hearings or other proceedings before a judge when done for the purposes of maintaining the Tribal Court case records. Tribal Court

parties or their attorneys/lay advocates retain the ability to request that the Clerk of the Tribal Court provide an audio copy of the recording of the Court parties' proceeding(s) with limited exceptions. A fee may apply for copies of recordings. Tribal Court Rules, Rule 1.5.(B) and (C).

To allow the Tribal Court to provide services to the community while still addressing the needs of all who patronize or use the Court's services modification to Tribal Court operations are necessary and required. This Administrative Order shall remain in effect through September 30, 2024, and may be extended by additional orders from the Tribal Court. This Administrative Order, issuing guidance on modified Tribal Court operations, is issued in accordance with the administrative authority vested to the Chief Judge of the Tribal Court pursuant to Shingle Springs Band of Miwok Indians Governance Code, Title 10, Article 4, Section 8(A), (B), (G) and (H) and the Tribal Court Rules of Court, Rule 1.1.

## **ORDERS:**

### **Public is prohibited from recording Tribal Court discussions with Tribal Court Personnel**

1. No recordings. The public shall not record, videotape, or otherwise capture the audio recordings of Tribal Court personnel at any time. Anyone found to have recorded Tribal Court personnel shall be held in contempt of Tribal Court and may be issued a fine of no more than \$5,000 per instance.
2. Permissions. The public must refrain from taking any photographs or video of Tribal Court personnel or Tribal Court patrons without prior consent of all parties or the Court.

### **Parties appearing in Tribal Court are prohibited from using cellular phones, laptops, tablets or similar devices in the Courtroom.**

1. Devices left outside. All Court parties, observers, witnesses and their attorneys or lay advocates must leave their cellular phones or similar recording devices in the care of the Court bailiff prior to entering the Courtroom or must leave them in their car, office or home. All devices taken by the bailiff shall be kept until the conclusion of the proceeding or hearing. At such time the devices will be returned to their owners/custodians. Only hearing aid devices shall be allowed in the courtroom.
2. Recordings. Parties are not allowed to record hearings or proceedings. Anyone who records a hearing or proceeding shall be subject to a contempt of court order with a penalty of up to \$5,000. Court personnel recording hearings or proceedings for the Court's record are exempt from this Administrative Order.
3. Reminder. Parties to a case are reminded that they have the right to request an audio copy of their proceedings or hearings. Parties may contact the Clerk of the Court, Chatira Gallegos, for such requests at: [cgallegos@ssband.org](mailto:cgallegos@ssband.org), (530) 698-1446, 5281 Honpie Road, Placerville, CA 95667.

IT IS SO ORDERED.

Dated August 1, 2023

  
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VICTORIO L. SHAW, CHIEF JUDGE