



UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO
150 CHARDON AVENUE
SAN JUAN, PUERTO RICO 00918

AIDA M. DELGADO - COLÓN
CHIEF JUDGE

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June 5, 2017

Ms. Carla Minet
Executive Director
Center for Investigative Journalism
P.O. Box 6834
San Juan, Puerto Rico 00914-6834

Dear Ms. Minet:

Judge Swain and I acknowledge receipt of your May 19th communication in which you raise certain concerns regarding press access to court hearings in relation to the PROMESA litigation.

Let me assure you that we are committed to preserving transparency and assuring press access to all hearings in accordance with the policies of the Judicial Conference of the United States and applicable Local Rules for the District of Puerto Rico.

In addressing your various concerns, let me begin by clarifying the "language" issue. The Merchant Marine Act of 1920, better known as the Jones Act, states that all pleadings in the United States District Court for the District of Puerto Rico shall be conducted in the English Language. While some who are interested in following the case may experience difficulties in understanding the English language, we must proceed in English, and we hope that ensuring public access to the written case record may serve to ease such difficulties by affording opportunities to study the documents with the assistance of others who are more familiar with English.

You also allude to a problem with courtroom acoustics and the seating arrangements for press members. First, I am happy to be able to inform you that all courtroom technology and electronic equipment in our courtrooms is being upgraded. This project has an expected completion date of October 2017. I trust that these upgrades will ameliorate any acoustics problems. As to the seating arrangements at the last PROMESA hearing, members of the press were provided with reserved seats in the last two rows within the main courtroom. This was due to the fact that we had to accommodate over 100 attorneys who were representing participants in the case. We nonetheless reserved 20 seats for members of the press in the main courtroom, in a location that would permit them to enter and leave the courtroom freely. In Courtroom 1, members of the press were able to observe by closed circuit video. Those in Courtroom 1 also were permitted to sit within the well of the courtroom and, as far as we were able to ascertain, the audio and acoustics were quite good. Sometimes the audio problems arise because attorneys speak away from the microphones or in a low tone of voice. Judicial officers always do their best to ensure that the attorneys stand at the lectern and make use of the microphones. We will continue to emphasize this with the attorneys.

Regarding the possibility of allowing members of the press to sit in the jury box; this practice is not allowed in the District. This area is traditionally reserved for case participants only. We understand that members of the press sometimes need to leave the courtroom while the proceeding is in progress and we consistently have allowed for wide latitude in this regard. Such flexibility would not be possible if members of the media were sitting in the jury box. Nonetheless, your recommendations regarding press seating will be considered in relation to future proceedings and determinations may be made on a case by case basis.

You also make reference to "the prohibition to record the proceedings" and suggest that press members should be allowed to do "simultaneous broadcast, use of reporters' phones to record, or publication of audio recording...". It is the policy of the the Judicial Conference of the United States, the administrative policy-making body for the federal judiciary, to prohibit broadcasting, televising, recording or taking photos in the courtroom. Moreover, pursuant to Local Rule 83F9(b) of this District, the taking of photographs and the use of radio, television, or other broadcasting equipment inside the courthouse is prohibited. Court reporters make the official record of the proceedings and transcripts of all court proceedings are prepared and available to the public upon proper request to the Court. For your convenience, enclosed you will find information on the procedures for obtaining access to transcripts of hearings.

Once again, thank you for having voiced your concerns. I hope that this information is useful. Please do not hesitate to contact us again in the future. Rest assured that, to the

extent possible and in a manner consistent with Judicial Conference policies, we will continue to strive to ensure effective press and public access to all court proceedings.

Cordially,



Aida M. Delgado-Colón

Chief United States District Judge

c: Hon. Laura Taylor Swain, United States District Judge