

HOUSE JOINT RESOLUTION 54

By Coley

A RESOLUTION urging the Supreme Court of Tennessee to provide public access to video of oral arguments.

WHEREAS, it is recognized that the Supreme Court of Tennessee has both the inherent and statutory authority to prescribe reasonable rules of practice to govern the operation of the Court; and

WHEREAS, Article VI, Section 3, of the Constitution of Tennessee was recently amended to provide that Supreme Court Justices “shall be elected in a retention election by the qualified voters of the state,” and this amendment highlights the need for video of oral arguments to give voters a greater opportunity to make educated decisions on retaining or removing Justices; and

WHEREAS, the General Assembly, whose membership is elected by the qualified voters of the State, provides transparency to the voters through access to live streaming and archived video of floor and committee sessions; and

WHEREAS, transparency and accountability are fundamental principles of a healthy democracy; and

WHEREAS, the majority of other states currently provide online access to video of state supreme court oral arguments, either as a live stream or as archived video; and

WHEREAS, online access to video of oral arguments would serve an educational purpose by allowing civics classes across the State to educate children about the Supreme Court without having to travel to Jackson, Nashville, or Knoxville; and

WHEREAS, online access to video of oral arguments would serve the interest of judicial economy by providing information to lawyers that may be beneficial to their work; and

WHEREAS, the Supreme Court of Tennessee currently provides online access to audio recordings of oral arguments, and the Court is empowered to implement procedures for the online access to video of oral arguments in a similar manner; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED NINTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that the Supreme Court of Tennessee is urged to develop and adopt rules and procedures to provide free online public access to video of oral arguments before the Supreme Court. These rules and procedures should provide for video of each oral argument to be publicly available no later than twenty-one days after it is heard by the Court.

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the director of the administrative office of the courts for distribution to each member of the Supreme Court of Tennessee.