By email

September 16, 2020

The Honorable John G. Roberts, Jr.
Chief Justice of the United States
Supreme Court of the United States
1 First Street NE
Washington, D.C. 20543

Re: Request for Continued Access to Live Audio Streaming of Oral Arguments and for Access to Opinion Announcements

Dear Chief Justice Roberts:

We were pleased to see the Court’s historic move to provide real-time telephonic access to all cases heard in May 2020 while the Supreme Court Building was closed to the public. We also acknowledge and appreciate the Court’s press release earlier today stating the Court will provide a live audio feed for all oral arguments scheduled for the October session.

The Reporters Committee for Freedom of the Press and the 50 undersigned media organizations write to urge the Court to continue to make live audio access available for as long as the Supreme Court Building is closed due to the COVID-19 pandemic. The media coalition also respectfully requests that the Court consider live audio access for opinion announcements as well.

The public’s manifest interest in the Court’s work has been unmistakable. For example, upwards of 50,000 people listened in real time to the Court’s arguments on May 12, and SCOTUSblog reported that within a few hours of the arguments, approximately 500,000 people had streamed the arguments that day (in the cases Trump v. Mazars USA LLP, No. 19-715, and Trump v. Vance, No. 19-635). Amy Howe, Courtroom access: Where do we go from here?, SCOTUSblog (May 13, 2020, 12:37 PM), https://perma.cc/82NM-U6VU.

Further, by the Reporters Committee’s count, to date almost two million people have listened to at least one of these recorded May arguments online. Melissa Wasser, Summary of Supreme Court Oral Argument Numbers (May 2020), Reporters Comm. for Freedom of the Press (last visited Sept. 16, 2020), http://bit.ly/SCOTUSLiveAudio.

During the live telephonic oral arguments in May, journalists were able to report to their audiences about Court sessions while they were ongoing, giving many Americans their first contemporaneous glimpse into
how the Court operates. This access promotes an even more informed citizenry, particularly when thousands or tens of thousands of people can listen to a live argument, compared to the 50 to 100 members of the public who are able to attend an argument in person.

Telephonic access during COVID-19 has convincingly demonstrated the public’s appetite to observe the operations of the Court and has shown that the Court can balance increased access with the integrity of its proceedings. Accordingly, continued live audio for oral arguments and the addition of live audio for opinion announcements will each promote transparency, accountability, and public confidence in the judicial system.

Sincerely,

The Reporters Committee for Freedom of the Press

Advance Publications, Inc.  
ALM Media, LLC  
The Associated Press  
The Atlantic Monthly Group LLC  
Bay Area News Group  
Bloomberg L.P.  
Boston Globe Media Partners, LLC  
C-SPAN  
Cable News Network, Inc.  
California News Publishers Association  
CBS Broadcasting Inc., on behalf of CBS News  
The Center for Investigative Reporting (d/b/a Reveal)  
Courthouse News Service  
Cox Media Group  
Dow Jones & Company, Inc.  
First Amendment Coalition  
Gannett Co., Inc.  
Hearst Corporation  
Inter American Press Association  
International Documentary Assn.  
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Los Angeles Times Communications LLC  
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Media Law Resource Center  
MPA - The Association of Magazine Media  
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Society of Environmental Journalists  
Society of Professional Journalists  
TIME USA, LLC  
Tully Center for Free Speech  
Univision Communications Inc.  
Vox Media, LLC  
The Washington Post
cc:  Associate Justice Clarence Thomas
     Associate Justice Ruth Bader Ginsburg
     Associate Justice Stephen G. Breyer
     Associate Justice Samuel A. Alito, Jr.
     Associate Justice Sonia Sotomayor
     Associate Justice Elena Kagan
     Associate Justice Neil M. Gorsuch
     Associate Justice Brett M. Kavanaugh