

MEDIA GUIDE FOR REPORTERS

Tips for Reporters

This guide provides tips for members of the media who are not lawyers and is geared toward reporters who are new to covering legal proceedings.

Media have an important role in the legal system.

Most people don't have the time to attend trials or other court proceedings. Well-informed citizens depend on members of the media to attend, listen, and fairly and accurately document what took place.

Read up on the case.

Your coverage will benefit from good preparation. Before attending a legal proceeding, obtain and review the publicly available court filings. Depending on the court, the records may be available online or from the court clerk's office. Consult the following resource for information on the open records policy governing access to court and judicial records: <https://www.txcourts.gov/open-records-policy/>.

Understand the difference between state and federal law.

The United States is divided into two legal spheres of influence: The state level and the federal level. States have the right to make their own laws on areas where the U.S. Constitution grants influence to the state, and the federal government has the ability to make overarching law that applies throughout the United States. Most of us know this concept from elementary school, but practically speaking, care must be taken to understand the difference, and when the federal government can supersede state laws.

- Check the court – is this a federal district court or a state court
- Check the statute – is it found in a federal code or in a state code?

For more information on federal courts, consult the United States Courts' resource

A Journalist's Guide to the Federal Courts:

<https://www.uscourts.gov/statistics-reports/publications/journalists-guide-federal-courts>.

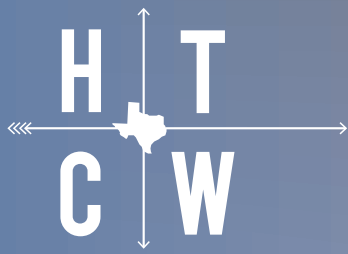
For more information on Texas state courts, consult the Texas Judicial Branch's resource *About Texas Courts:* <https://www.txcourts.gov/about-texas-courts/>.

Understand the difference between civil and criminal law.

In Texas, civil and criminal matters may be heard by the same judges and courts, but the laws and effects are very different.

Civil matters involve individuals, companies, and government entities, and typically involve violation of civil statutes or common law, such as a negligence suit over a car accident or a contract dispute. If a party has done something wrong, the penalties usually involve paying money or being asked to do (or not do) something, such as perform under a contract.

Criminal matters involve a state entity (such as the state of Texas or the federal government) bringing charges against an individual or company, alleging violation of a criminal law. The penalties involve fines (typically paid to the government), time in jail or prison, or the loss of rights, such as of a driver's license. In general, if a matter is criminal, the state or federal government is acting to deprive a defendant of "life, liberty, or property" by execution, imprisonment, or fines. A civil matter cannot result in such deprivation.



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Don't focus on facts in isolation; look at the overarching story.

Legal matters generally involve parties who have different versions of the story and the facts. Focusing on a sensationalized fact that came out in testimony at the expense of more relevant information risks skewing public perception of the full story. Some facts may seem interesting but have no legal implication. Instead, follow the larger story presented by all witnesses or parties.

Ensure legal terms are used correctly.

Many terms lawyers use have special legal meanings, which may be very different from their common meaning. Using standard language to describe a legal proceeding often results in inaccurate descriptions, when the standard term has a legal meaning that is different.

Civil and criminal matters use different language, and the terms are not always interchangeable.

The United States Courts website maintains a comprehensive Glossary of Legal Terms:

<https://www.uscourts.gov/glossary>.

If you don't understand something, ask for help.

Don't be hesitant to ask a legal expert for clarification if a term or legal concept doesn't make sense to you. The attorneys involved in the case you're covering may not have time to talk, but you can always seek help from a lawyer who is not involved with the case but has relevant knowledge to inform your coverage. If you need help finding a legal source in Texas, contact the State Bar of Texas: www.texasbar.com/media.