



**PRESS RELEASE from
LIBERTY JUSTICE CENTER**

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**Tennessee illegally closes state judges' meetings to public and press
*News editor files federal lawsuit to gain access to meetings where judges and
committees set rules on state court policy and recommend legislation***

NASHVILLE (June 13, 2022) — A Tennessee state judiciary official faces a federal lawsuit for violating the First Amendment by closing meetings of state court judges to the public and press. At the Tennessee Judicial Conference meetings, state court judges and Conference committees discuss guidelines on state court policies and rules and recommend legislation that directly affect how Tennesseans are governed in the courtroom. In the interest of transparent and open government, Dan McCaleb, executive editor of The Center Square, a newswire service and news website, is suing to reverse the blanket closure policy and allow in-person and virtual access to future meetings.

Dan McCaleb is represented by attorneys at the Liberty Justice Center, a national, nonprofit law firm dedicated to protecting fundamental constitutional rights, including the freedom of the press provided by the First Amendment. Director of Tennessee Administrative Office of the Courts Michelle Long is being sued over the policy she issued in February 2022 formally closing the Conference meetings. Attorneys from the Liberty Justice Center have requested an emergency hearing to block enforcement of the policy ahead of the judges' June meeting in Franklin and metropolitan Nashville.

"Freedom of the press is fundamental to our democracy and blocking reporters from covering judicial proceedings is illegal," said **Buck Dougherty, senior attorney at the Liberty Justice Center**. "It is in the interest of all Tennesseans that meetings where state court judges set rules, guidelines, and state court policies be open to the public and press. Drafting rules and policies behind closed doors on how citizens are governed in the courtroom violates the U.S. Constitution."

The Tennessee Judicial Conference was created by the state's General Assembly to require state judges to meet annually and deliberate on state court policy. The conference's federal equivalent, the Judicial Conference of the United States, has allowed public access to committee meetings on proposed rules of practice, procedure, and evidence for nearly 34 years.

Dan McCaleb is a veteran journalist with more than 25 years of experience. Under his leadership, The Center Square reports on state- and local-level government and economic issues across the country, including in Tennessee. If the Tennessee Judicial Conference were open to the press, his reporters would cover the proceedings and their impact on Tennesseans.

“Banning the press from observing the meetings and providing information to the public is wrong and undermines democratic government,” said **Dan McCaleb, plaintiff and executive editor of The Center Square**. “This conference is funded by taxpayers and the decisions made there will directly affect them. Tennesseans should be asking why state judges need to meet in secret and keep them in the dark.”

Background:

Tennessee Judicial Conference members are not simply meeting to participate in learning and networking sessions. The issues discussed and actions taken during the conference directly affect the lives of everyday Tennesseans and how they are governed in the courtroom. The state law creating the conference directs members to consider ways to improve the efficiency of state courts, discuss laws and rules of procedure to suppress crime and promote peace and good order, prescribe rules of official conduct for all judges, and appoint committee members to draft legislation and recommendations to submit to the General Assembly.

The policy issued by Director of Tennessee Administrative Office of the Courts Michelle Long not only blocks the press and public from observing the conference, but it also imposes a gag order on members and administrative court office staff preventing disclosure of dates, physical location, virtual access link, speaker documents, or other materials.

The lawsuit, *McCaleb v. Long*, was filed June 13, 2022, in the United States District Court for the Middle District of Tennessee. Case filings are available here:

<https://libertyjusticecenter.org/media/tennessee-judges>

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The Liberty Justice Center is a nonprofit, public-interest litigation center that fights to protect fundamental constitutional rights. The Liberty Justice Center is best known for its 2018 U.S. Supreme Court victory in *Janus v. AFSCME*. Learn more about the Liberty Justice Center at [LibertyJusticeCenter.org](https://libertyjusticecenter.org).