M E M O R A N D U M

From: Jeffrey J. Hunt

To: Justice Jill Parrish, Judge Deno Himonas, Judge David Mortensen, Brent Johnson, Nancy Volmer, Diane Abegglen

Date: August 12, 2011

Re: Subcommittee on Electronic Media Coverage in the Courts / Meeting Materials

In preparation for our subcommittee meeting at noon on Wednesday, August 17, following is a summary of the attached research materials and illustrative court rules, together with comments and observations from the Utah news media regarding Utah's current courtroom photography Rule and the prospect of amending the Rule to permit electronic media coverage.

Research Materials

- "Freedom of Information, Cameras in the Court: A State-By-State Guide," Radio Television Digital News Association ("TRDNA Survey") (summarizing the law governing audio-visual coverage of the courts in the 50 states and District of Columbia)
- "Court-Media Relations, Media Coverage of State Court Proceedings," National Center for State Courts ("NCSC Survey") (summarizing the law governing audio-visual coverage of the courts in the 50 states and District of Columbia)
- Utah Code of Judicial Administration Rule 4-401
- Illustrative State Court Rules Governing Electronic Media Coverage in the Courts for Colorado, Idaho, Nevada, and Washington
- Discussion Draft of Amendments to Utah Code of Administration Rule 4-401 (Media in the Courtroom).

Summary of Court Rules/Statutes Governing Electronic Media Coverage

Every state permits some type of media photographic coverage of its trial or appellate courts. The District of Columbia is the only jurisdiction that totally prohibits such coverage. Beginning in the 1970s, many courts adopted experimental rules allowing broadcast media access to judicial proceedings. Nearly all of these experimental rules have now become permanent.

State rules permitting electronic media coverage vary widely in scope and approach. Restrictions on coverage generally fall into three categories: (1) restrictions based upon type of

court, i.e., trial court vs. appellate court; (2) consent-based restrictions, i.e., coverage prohibited unless parties and witnesses consent; and (3) prohibitions on coverage of certain types of proceedings, witnesses, or trial participants, such as juveniles, sexual assault victims, or jurors.

Some states expressly prohibit photographic coverage of certain types of proceedings, witnesses or trial participants, such as juveniles, sexual assault victims, or jurors. Other states do not codify such exceptions, but rather afford the presiding judge broad discretion to impose limitations on photographic coverage to protect compelling interests, such as privacy interests, personal safety, and fair trial rights.

Some states, including Nevada, Colorado, and Washington, have adopted a presumption that electronic media coverage is permitted in proceedings that are open to the public. A decision to prohibit or limit such coverage requires the judge to make particularized findings on the record after consideration of various factors such as fair trial rights, privacy interests, safety interests, and other factors bearing on the fair administration of justice. Other states afford the presiding judge discretion to allow electronic media coverage, but require the judge to consider various factors in making a determination.

Based upon the foregoing factors, the RTDNA Survey of Cameras in the Courts has divided state rules concerning electronic media coverage of the courts into the following three tiers:

Tier 1: States that allow the most electronic media coverage of their courts: (19 states) CA, CO, FL, GA, ID, KY, MI, MT, NV, NH, NM, ND, SC, TN, VT, WA, WV, WI and WY.

Tier 2: States with restrictions prohibiting coverage of certain types of cases or proceedings or prohibiting coverage of all or large categories of witnesses who object to coverage: (16 states) AK, AZ, CT, HI, IN, IA, KS, MA, MO, NC, NJ, OH, RI, TX and VA.

Tier 3: States that allow appellate coverage only or that have such restrictive trial coverage rules that coverage is essentially prohibited (15 states) AL, AK, DE, IL, LA, ME, MD, MN, MS, NE, NY, OK, PA, SD, and **UT.**

<u>Observations from Utah News Reporters</u>

I asked the local news media for their comments and observations concerning the current courtroom photography rule and the prospect of amending the rule to include electronic media coverage. Following is a summary of the feedback I received.

Discretion of Trial Judge. News organizations reported that there is considerable variation among Utah trial judges concerning whether to grant media requests for still photography. Some judges routinely grant such requests, subject to the limitations provided in

the rule. Other judges deny requests without any explanation, oral or written, of their reasons. It was reported that on occasion, permission to photograph has been suspended or restricted during a trial or hearing without explanation to the media.

Advance Notice. The Utah Rule requires the news media to submit a request to photograph at least 24 hours in advance of the proceeding. The requirement may be waived for good cause. Several reporters mentioned a recent high-profile criminal proceeding where a plea deal was worked out between the defendant and prosecutors and the matter set for hearing the very next day. Although the expedited hearing made it impossible for the news media to submit their request 24 hours in advance, the trial judge denied the request on that basis. This could be just an isolated instance, not a systemic problem.

Pool Photographers and Technical Requirements. Video cameras do not have the resolution to take quality still photographs. To permit both still and video photography, the Rule should authorize the presence of one pool video camera and one pool still photographer. The Rule should also address technical audio requirements. The quality and suitability of courthouse audio systems to provide sound for radio and television likely varies around the state. There may be some courthouses or courtrooms that do not have an audio system that is suitable for providing sound for purposes of electronic media coverage.

Many states address this issue by permitting the news media to install, at their expense, microphones and related wiring in advance of the proceeding in as unobtrusive manner as possible. The Utah Rule seems to contemplate this possibility by allowing the presiding judge to approve modifications to courtroom equipment, and the expense of the news media, for purposes of photography. Utah Code Jud. Admin. 4-401((5)(B).

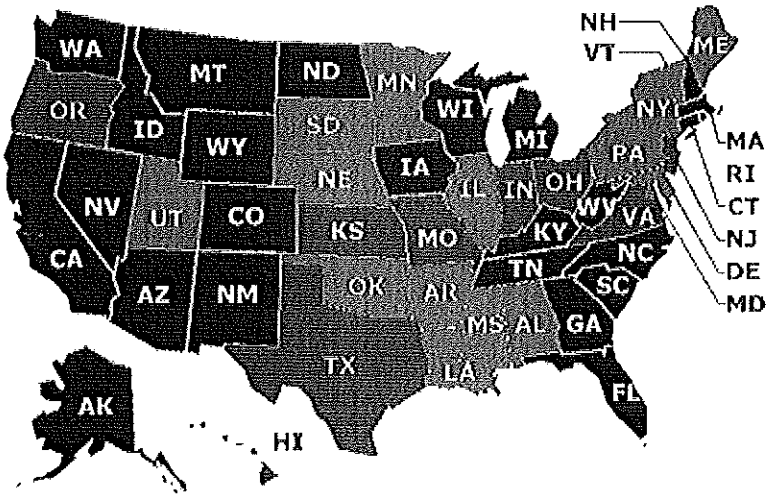
Position of Pool Photographer in the Courtroom. The Utah Rule permits to the presiding judge to position news reporters and the pool photographer in the courtroom to permit "reasonable news coverage." *Id*. 4-401 (5)(A). Some reporters complained that bailiffs sometimes require the pool photographer to sit in the front row where it was nearly impossible to photograph the defendant. This seems to be an issue that should be addressed as necessary by the pool photographer, the Court Public Information Officer, and the presiding judge.

Consent. The Utah Rule does not require the consent of the parties, witnesses, or other trial participants to permit photography. The experience in states that require consent is that such consent is rarely granted, which essentially functions as a bar to electronic media coverage. For this reason, the Utah news media oppose a consent requirement.

Freedom of Information

Cameras in the Court: A State-By-State Guide

Click on your state to read the current law regarding cameras and microphones in the courtroom.



The District of Columbia is the only jurisdiction that prohibits trial and appellate coverage entirely.

Legend:

TIER I: States that allow the most coverage

California - broad discretion in presiding judge
Colorado - broad discretion is presiding judge
Florida - "qualitative difference" test
Georgia - broad discretion in presiding judge
Idaho - broad discretion in presiding judge
Kentucky - broad discretion in presiding judge
Michigan - judge may prohibit coverage of certain witnesses
Montana - broad discretion in presiding judge
Nevada - broad discretion in presiding judge
New Hampshire - broad discretion in presiding judge
New Mexico - judge may prohibit coverage of certain witnesses
North Dakota - broad discretion in presiding judge

South Carolina - broad discretion in presiding judge
Tennessee - broad discretion in presiding judge/coverage of minors is restricted
Vermont - broad discretion in presiding judge
Washington - broad discretion in presiding judge
West Virginia - broad discretion in presiding judge
Wisconsin - broad discretion in presiding judge
Wyoming - broad discretion in presiding judge

TIER II: States with restrictions prohibiting coverage of important types of cases, or prohibiting coverage of all or large categories of witnesses who object to coverage of their testimony.

Alaska - requires sex offense victim consent
Arizona - coverage of juvenile/adoption proceedings prohibited
Connecticut - coverage of certain types of cases prohibited
Hawaii - coverage of certain cases and witnesses prohibited
Indiana - appellate coverage only; pilot program for coverage of trials in designated courtrooms.
Iowa - need victim/witness consent in sexual abuse cases; regularly scheduled Supreme Court hearings are *not* subject to witness or party objections.
Kansas - consent of parties/attorneys not required, but coverage of many types of witness may be prohibited
Massachusetts - coverage of certain types of hearings prohibited
Missouri - coverage of certain cases and witnesses prohibited
North Carolina - coverage of certain cases/witnesses prohibited
New Jersey - coverage of various types of cases prohibited
Ohio - victims and witnesses have right to object to coverage
Oregon - witnesses discretion to object to coverage of certain cases
Rhode Island - coverage of certain proceedings, including criminal trials prohibited
Texas - no rules for criminal trial coverage, but such coverage allowed increasingly on a case by case basis
Virginia - coverage of sex offense cases prohibited

TIER III: States that allow appellate coverage only, or that have such restricting trial coverage rules essentially preventing coverage.

Alabama - consent of all parties/attorneys required
Arkansas - coverage ceases with objection by a party, attorney or witness
Delaware - appellate coverage only/currently experimenting with trial-level coverage of civil, non-jury cases in before certain courts
Illinois - appellate coverage only
Louisiana - appellate coverage only
Maine - coverage only permitted in appellate proceedings, civil trials, criminal arraignments, sentencing and other non-testimonial criminal proceedings
Maryland - consent of all parties/attorneys required; coverage of criminal trials is prohibited.
Minnesota - consent of all parties required at trial level
Mississippi - coverage of certain types of cases and witnesses prohibited.
Nebraska - appellate coverage/audio trial coverage only
New York - appellate coverage only
Oklahoma - consent of criminal parties/attorneys
Pennsylvania - any witness who objects may not be covered, coverage of non-jury civil trials permitted
South Dakota - Supreme Court coverage only
Utah - appellate coverage/trial coverage - still photography only

Alabama

Trial and appellate courtroom coverage is permissible if the Supreme Court of Alabama has approved a plan for the courtroom in which coverage will occur. The plan must contain certain safeguards to assure that coverage will not detract from or degrade court proceedings, or otherwise interfere with a fair trial. If such a plan has been approved, a trial judge may, in the exercise of "sound discretion" permit coverage if: (1) in a criminal proceeding, all accused persons and the prosecutor give their written consent and (2) in a civil proceeding, all litigants and their attorneys give their written consent. Following approval of their coverage plans, appellate courts may authorize coverage if the parties and their attorneys give their written consents. In both trial and appellate contexts, the court must halt coverage during any time that a witness, party, juror, or attorney expressly objects. In an appellate setting, it must also halt coverage during any time that a judge expressly objects to coverage.

Authority: Canon 3A(7), 3A(7A), and 3A(7B), Alabama Canons of Judicial Ethics, Ala. Code, Vol. 23A (Rules of Alabama Supreme Court).

Alaska

The news media, which includes the electronic media, still photographers and sketch artists, may cover court proceedings in all state trial and appellate courts. Administrative Rule 50 permits media coverage anywhere in the state court facility and is not limited to courtrooms. Under the permanent rule, the media must apply for and receive the consent of the presiding judge prior to commencing coverage. Requests for coverage must be made 24 hours prior to the proceeding, and applications that are timely filed are deemed to have been approved, unless otherwise prohibited. The consent of all parties is required for coverage of divorce, domestic violence, child custody and visitation, paternity or other family proceedings. Jurors may not be photographed, filed or videotaped in the courtroom at any time.

Victims of a sexual offense may not be photographed, filmed, videotaped or sketched without the consent of the court and the victim. A procedure is prescribed for suspension of an individual's or an organization's media coverage privileges for a period of up to one year for violation of the media coverage plan.

Authority: Rule 50, Rules Governing the Administration of All Courts, Alaska Rules of Court (West).

Arizona

Electronic and still photographic coverage of proceedings in all state courts and "areas immediately adjacent thereto" is permitted, provided the media follow certain guidelines that set forth rules for coverage. Audio recording by media is also generally permitted, provided that the audio recording does not create a distraction in the courtroom and is only used as personal notes of the proceedings. Coverage of juvenile proceedings is prohibited, and the judge has sole authority to decide whether to permit coverage of all other matters. The photographing of jurors in a way that permits them to be recognized is strictly forbidden. Requests for coverage should be made to the judge of the particular proceeding "sufficiently in advance" of the sought-after coverage event. Only one television and one still camera is allowed in the courtroom at one time, and the media are responsible for arranging pooling agreements. No flash bulbs or additional

artificial lights of any kind are allowed in the courtroom without the notification and approval of the presiding judge.

Authority: Rule 122, Rules of the Arizona Supreme Court, Ariz. Rev. Stat., Vol. 17A.

Arkansas

A judge may authorize broadcasting, recording, or photographing in the courtroom and adjacent areas provided that "the participants will not be distracted, [n]or will the dignity of the proceedings be impaired." An objection to the coverage by a party or attorney precludes media coverage of the proceedings and an objection by a witness precludes coverage of that witness. Coverage of juvenile, domestic relations, adoption, guardianship, divorce, custody, support and paternity proceedings is expressly prohibited. Similarly, coverage of jurors, minors without parental or guardian consent, sex crime victims, undercover police agents and informants is also prohibited. Only one television and one still camera is allowed in the courtroom at one time and the media are responsible for arranging pooling agreements.

Authority: Administrative Order Number 6, Rules of Civil Procedure - Appendix, Arkansas Code of 1987 Annotated (Court Rules).

California

Media coverage of State Court proceedings is governed by Rule 980 of the California Rules of Court. Personal recording devices may be used with advance permission of the judge for personal note-taking only. Media coverage is permitted by written order of the judge following a media request for coverage filed at least five court days before the proceeding to be covered. Any such requests must be made on the official form provided by courts. Coverage of jury selection, jurors, spectators, proceedings held in chambers, proceedings closed to the public or conferences between an attorney and a client, witness or aide, between attorneys or between counsel and the judge is prohibited.

Effective January 1, 1998, Rule 4.1 restricting media coverage within the courthouse unless specifically authorized by the presiding judge was added to the Los Angeles County Superior Court Rules. This rule also prohibits the filming or photographing of any person wearing a juror badge in the court.

Authority: Rule 1.150, California Rules of Court; Rule 4.1 Los Angeles County Superior Court Rules (West).

Colorado

Canon 3A(7) of the Colorado Code of Judicial Conduct gives judges the power, implemented in Canon 3A(8), to authorize media coverage of court proceedings, subject to several guidelines. Judges also have the power to prohibit or limit coverage upon a finding of substantial likelihood of interference with a fair trial, disruption or degradation of the proceedings, or harm which is distinct from that caused by coverage by other types of media. Those wishing to cover a particular

proceeding must submit a written request to do so to the presiding judge at least one day in advance of the proceeding desired to be covered and must give a copy of the request to the counsel for each party participating in the proceeding. Coverage of jury selection, in camera hearings and most pre-trial hearings is prohibited. No close-up photography of the jury, bench conferences or attorney-client communication is permitted. Consent of the participants is not required. The judge may also terminate coverage if the terms of the canon or any additional rules imposed by the Court have been violated. Only one television and one still camera are allowed in the courtroom at one time and the media are responsible for arranging pooling agreements.

Authority: Canon 3(A)(8), Colorado Code of Judicial Conduct, Colo. Rev. Stat., Vol. 7A (Court Rules), Appendix to Chapter 24; Form.

Connecticut

Sections 70-9 and 70-10 of the Rules of Appellate Procedure (governing media coverage in the Appellate and Supreme Courts) and Sections 1-10 and 1-11 of the Rules for the Superior Court (governing coverage in trial courts) permit the coverage of judicial proceedings under specific circumstances.

In appellate courts, those wishing to cover a particular proceeding must submit a written request to do so to the appellate clerk "not later than the Wednesday which is thirteen days before the day in which that proceeding is scheduled to occur." In trial courts, those wishing to cover a particular proceeding must submit a written request to do so at least three days prior to the commencement of the trial to the administrative judge of the judicial district where the case is to be tried. In both courts, coverage of family relations matters, trade secrets cases, sexual offense cases, and cases otherwise closed to the public are prohibited. In jury trials, no coverage of proceedings held in the jury's absence is permitted. Additionally, in criminal cases, sentencing hearings may only be covered if the trials are covered. Photographing or televising individual jurors is prohibited, and where coverage of the jury is unavoidable, no close-ups may be taken.

Authority: §§ 70-9, 70-10, Rules of Appellate Procedure; §§ 1-10, 1-11, Rules for the Superior Court, Connecticut Rules of Court (West).

Delaware

Rule 53 of the Delaware Superior Court Criminal Rules, Rule 53 of the Delaware Family Court Criminal Rules, and Rule 53 of the Criminal Rules of Delaware Courts of Justices of the Peace forbid coverage. By order dated April 29, 1982, the Delaware Supreme Court issued guidelines for its one year appellate experiment. Under those guidelines, coverage is permissible so long as it does not impair or interrupt the orderly procedures of the Court. Consents of the parties are not required. This experiment was extended indefinitely by order of the Delaware Supreme Court, dated and effective May 2, 1983.

On April 5, 2004, the Delaware Supreme Court issued its Administrative Directive No. 155, which established a six-month trial court experiment, which was originally scheduled to end on October 15, 2004. In this experiment, media coverage was permitted in the Sussex Court of Chancery, and courtrooms in New Castle, Kent and Sussex Counties. Broadcast of non-confidential, non-jury, civil proceedings was permitted.

Administrative Directive No. 155 was amended on October 25, 2004, and the experiment was extended until May 16, 2005. As of this writing, no further action has been taken.

Authority: Canon 3A(7), Delaware Judges' Code of Judicial Conduct, adopted by Rule 84, Rules of the Delaware Supreme Court, Del. Code, Vol. 16; Rule 53, Delaware Family Court, Criminal Rules, Del. Code, Vol. 16; Rule 53, Delaware Superior Court Criminal Rules, Del. Code, Vol. 17; Rule 31, Delaware Courts of Justices of the Peace, Criminal Rules, Del. Code, Vol. 16. See also Rule 169, Rules of the Delaware Court of Chancery, Del. Code, Vol. 17 (as modified by above-referenced orders).

Authority: Court Rules; Administrative Directive 155; Administrative Directive 155, amended

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District of Columbia

Rule 53(b) of the Superior Court Rules of Criminal Procedure, Rule 203(b) of the Superior Court Rules of Civil Procedure, Superior Court Juvenile Proceedings Rule 53(b), and Superior Court Domestic Relations Rule 203(b) forbid "[t]he taking of photographs, or radio or television broadcasting" coverage of trial proceedings. That said, in certain circumstances, photography may be permitted under Juvenile Court Rule 53(b)(2) or Criminal Court Rule 53(b)(2), which permits photography "in any office or other room of the division" upon the consent of the person in charge of the office or room and the person or people being photographed.

Coverage is also prohibited in Appellate proceedings.

Authority: All rules cited in the foregoing paragraph are contained in D.C. Code Ann. (Court Rules-D.C. Courts).

Webcast: D.C. Court of Appeals (no archives)

Florida

Electronic media and still photography coverage of proceedings is allowed in both the appellate and trial courts. Coverage is subject only to the authority of the presiding judge who may prohibit coverage to control court proceedings, prevent distractions, maintain decorum, and assure fairness of the trial. Exclusion of the media is permissible only where it is shown that the proceedings will be adversely affected because of a "qualitative difference" between electronic and other forms of coverage. Florida v. Palm Beach Newspapers, 395 So. 2d 544 (1981). Two still cameras operated by one photographer are allowed in trial and appellate courtrooms at one time. In trial proceedings only one television camera is allowed, while in appellate proceedings, two television cameras operated by one camera person is allowed. The media are responsible for arranging pooling agreements.

Authority: Rule 2.170, Rules of Judicial Administration, Florida Rules of Court (West) (2007).

Georgia

Rule 18 of the Probate Court Rules, Rule 11 of the Magistrate Court Rules and Rules 26.1 and 26.2 of the Juvenile Court Rules provide guidelines for extended media coverage of those judicial proceedings. If the court elects to grant approval for expanded media coverage of a proceeding must be "without partiality or preference to any person, news agency, or type of electronic or photographic coverage." Those requesting coverage in these proceedings must file a "timely written request" on a form provided by the court with the judge involved in the specific proceeding prior to the hearing or trial. The judge, at his or her discretion, may allow only one television or still photographer in the courtroom at any one time, thereby requiring a pooling arrangement. Any additional lights or flashbulbs must be approved by the judge beforehand. Lastly, under the Juvenile Court Rules, pictures of the child in juvenile proceedings are expressly prohibited.

The Superior Court's Rule 22, in additional to the above requirements, prohibits photographing or televising members of the jury, unless "the jury happens to be in the background of the topics being photographed."

In the Court of Appeals, written requests for coverage must be submitted at least seven days in advance. Further, radio and television media are required to supply the Court with a video or audio tape, respectively, of all proceedings covered. Only one "pooled" television camera with one operator and one still photographer, with not more than two cameras, is allowed in the courtroom at any one time.

In the Supreme Court, coverage is allowed without prior approval from the Court and the Supreme Court retains exclusive authority to limit, restrict, prohibit and terminate coverage. No more than four still photographers and four television cameras will be permitted in the courtroom at any time. All television cameras are restricted to the alcove of the courtroom, while still photographers may sit anywhere in the courtroom designated for use by the public.

Authority: Rules 75-91, Supreme Court Rules; Rules 26.1 and 26.2, Juvenile Court Rules; Rule 18, Probate Court Rules; Rule 11, Magistrate Court Rules; Rule 22, Superior Court Rules, Georgia Rules of Court Annotated (West).

Hawaii

Electronic media and still photography coverage of proceedings is allowed in both the appellate and trial courts. Consent of the judge prior to coverage of a trial proceeding is required, but prior consent of the judge is not required for coverage of appellate proceedings. The judge may rule on the request orally and on the record or by written order if requested by any party. A request for coverage will be granted unless good cause is found to prohibit it. Good cause for denying coverage is presumed to exist when the proceeding is for the purpose of determining the admissibility of evidence, when child witnesses or complaining witnesses in a criminal sexual offense case are testifying, when testimony regarding trade secrets is being given, when a witness would be put in substantial jeopardy of bodily harm, or when testimony of undercover law enforcement agents involved in other ongoing undercover investigations is being received. Coverage of proceedings, which are closed to the public is prohibited. These proceedings include juvenile cases, child abuse and neglect cases, paternity and adoption cases, and grand jury proceedings. Coverage of jurors or prospective jurors is prohibited. Only one television camera and one still photographer, with not more than two still cameras are allowed in the courtroom at one time (although the judge may allow more at his/her discretion) and the media are responsible for arranging pooling agreements.

Authority: Rules 5.1, 5.2, Rules of the Supreme Court, Hawaii Court Rules (West).

Idaho

Rule 45 of the Idaho Court Administrative Rules (ICAR) allows extended coverage of all public proceedings, provided permission to cover a proceeding is obtained in advance from the presiding judge, and ICAR Rule 46 provides guidelines for the use of cameras in appellate proceedings.

In trial courts, the presiding judge may prohibit coverage or order that the identity of a participant be concealed when such coverage would have a substantial adverse effect upon that participant. Coverage of the jury, adoptions, mental health proceedings and other proceedings closed to the public is prohibited. Permission to photograph or broadcast a proceeding must be sought, in advance, from the presiding judge. Electronic flash or artificial lighting is prohibited, and the television camera may not "give any indication of whether it is operating". Only one still photographer and one camera operator is permitted in the courtroom, and any pooling arrangements must be made by the media. Still photographers must keep "the number of exposures . . . to a minimum."

Pursuant to ICAR Rule 46(a), photography is limited to designated areas of the Supreme Court Courtroom. While video cameras are permitted on a first-come basis, no more than two (2) still photographers are permitted at any one time. Live coverage of proceedings in the Supreme Court Courtroom may be prohibited in the interest of justice. Flash photography or the use of additional lighting for video photography is prohibited. No separate microphones may be used.

In all other appellate proceedings, ICAR Rule 46(b) imposes many of the same requirements as 46(a); however, microphone and video pooling is required.

Authority: Rules 45 & 46, Idaho Court Administrative Rules (2007).

Illinois

Illinois Revised Statutes, Chapter 735, § 8-701 specifies that no witness will be compelled to testify in any court in the State if any portion of his testimony is to be covered. Rule 63(A)(7) allows coverage pursuant to an order of the Illinois Supreme Court, while coverage of trial court proceedings is prohibited. For coverage of appellate proceedings, consents are not required, although the judge or presiding officer, with good cause, may prohibit or terminate coverage at any time. Those wishing to cover a particular proceeding must notify the appropriate clerk of the court not less than five "court" days prior to the date the proceeding is scheduled to begin. Only one television camera and one still camera, each operated by one camera-person, is permitted in the courtroom at any one time. No equipment or clothing of media personnel can have marks that identify any individual medium or network affiliation. Artificial lighting of any kind is not allowed, and the media are responsible for any pooling arrangements.

Authority: Rule 63(A)(7), Rules of the Illinois Supreme Court(2000); Chapter 735, §8-701, Illinois Compiled Statutes Annotated(2000); Supreme Court Orders of November 29, 1983 and January 22, 1985.

Indiana

Extended media coverage of oral arguments before the Indiana Supreme Court is allowed. Requests for coverage are to be made at least 24 hours prior to the start of the proceeding.

Beginning September 1, 1997 and continuing indefinitely, the Indiana Court of Appeals will allow extended media coverage of its proceedings. Requests for coverage are to be made at least 48 prior to the start of the oral argument.

The Indiana Supreme Court authorized a pilot project for video and audio coverage of proceedings in certain Indiana courtrooms. The project, which lasts from June 6, 2006 through December 31, 2007, permits certain trial judges to consent to media coverage, subject to certain restrictions. Specifically, judges must prohibit coverage of police informants, undercover agents, minors, victims of sexual offenses, jurors, witnesses at sentencing hearings, bench conferences, attorney-client communications, and conversations among counsel. Equipment is limited to no more than one still camera, one video camera, and three audio recording devices, and coverage may not intrude upon the proceedings. Journalists should consult the implementing order for additional details and a list of eligible courtrooms.

All appellate oral arguments are webcast live, and the courts maintain an archive of webcast arguments from 2001 to date.

Authority: Order Nos. 94S00-9901-MS-59 and 94S00-0605-MS-166.

Supreme Court Media Guidelines

Iowa

Extended media coverage, defined as "broadcasting, televising, electronic recording, or photographing of judicial proceedings for the purpose of gathering and disseminating news to the public," is generally permitted upon application to the presiding judge. Iowa's rules require that permission for extended media coverage be granted, unless the coverage will interfere with the rights of the parties or a witness or party provides a good cause why coverage should not be permitted. In certain types of proceedings, such as sexual abuse or criminal trials, witness or party consent is required.

Extended media coverage is not permitted, however, during jury selection or if a private proceeding is required by law. Prolonged or unnecessary coverage of jurors should be prevented to the extent practicable.

Written requests to use photographic equipment, television cameras, etc. must be made, in advance to the Media Coordinator, and equipment must meet certain specifications. Flash photography and other supplemental light sources are prohibited. Pooling arrangements must be made by the media.

All regularly scheduled Supreme Court oral arguments taking place in the Supreme Court's courtroom are subject to expanded media coverage and are *not* subject to objections by witnesses or parties. Additionally, all Supreme Court oral arguments are streamed over the internet.

Authority: Ch. 25, Iowa Court Rules (2007).

Webcast: Supreme Court Oral Arguments

Kansas

Rule 1001 of the Kansas Supreme Court authorizes extended media coverage of appellate and trial court proceedings and extends coverage to state municipal court proceedings. Under this rule, coverage is permissible only by the news media and educational television stations and only for news or educational purposes.

The media must give at least one week's notice of its intention to cover a proceeding. However, this requirement may be waived upon a showing of good cause. Photographing of individual jurors is prohibited, and where coverage of the jury is unavoidable, no close-ups may be taken. Consents of the participants are not required. The presiding judge may prohibit coverage of individual participants at his discretion; however, if a participant is a police informant, undercover agent, relocated or juvenile witness, or victim/witness and requests not to be covered, the judge must prohibit coverage of that person. Coverage of a participant in proceedings involving motions to suppress evidence, divorce, or trade secrets will also be prohibited, if the participant so requests. Coverage of materials on counsel tables, photographing through the windows or open doors of the courtroom also is prohibited. Moreover, criminal defendants may not be photographed in restraints as they are being escorted to or from court proceedings prior to rendition of the verdict. Only one television camera, operated by one person, and one still photographer, using not more than two cameras, are authorized in any one court proceeding.

Authority: Rule 1001, Rules of the Kansas Supreme Court, Kansas Court Rules and Procedures - State and Federal (1999).

Kentucky

Electronic coverage is permitted in all appellate and trial court proceedings. Consents of the parties are not required, but coverage is subject to the authority of the presiding judge. Requests for coverage should be made to the judge presiding over the proceeding for which coverage is desired. Coverage of attorney-client conferences or conferences at the bench are prohibited. Only one television camera and one still photographer, with not more than two still cameras are allowed in the courtroom at any one time, and the media are responsible for any pooling arrangements. Juvenile proceedings are closed to the public. KRS 610.070

Authority: Standards of Conduct and Technology Governing Electronic Media and Still Photography Coverage of Judicial Proceedings, Rules of the Kentucky Supreme Court, Ky. Rev. Stat. Ann. (2007).

Reporters Handbook on Covering Kentucky Courts

Louisiana

Electronic coverage of appellate proceedings is allowed, while coverage at the trial level is generally prohibited. Those wishing to cover trial-level proceedings should consult with the courts of that district or parish concerning coverage. At the appellate level, obtaining the consent of the involved parties is not required, although the Court may prohibit coverage upon its own motion or if an objection is made by a party. Notice of intent to cover a proceeding must be made at least 20 days in advance or, in expedited proceedings, within a reasonable time before the proceeding is schedule to occur. No more than two television cameras, each operated by no more than one camera person, and one still photographer, using not more than two still cameras with not more than two lenses for each camera, will be permitted in the courtroom during proceedings. In addition, the media are responsible for any pooling arrangements.

Authority: Canon 3A(7), Louisiana Code of Judicial Conduct & Appendix (1999).

Maine

Extended media coverage is authorized in all civil matters but coverage in criminal matters is limited to arraignments, sentencing and other non-testimonial proceedings. Coverage of divorce, annulment, support, domestic abuse and violence, child custody and protection, adoption, paternity, parental rights, sexual assault, trade secrets, and juvenile proceedings is prohibited. Coverage of the jury and any proceeding in which a living child is a principal subject is also prohibited. Requests for coverage should be made to the clerk of the court at which coverage is desired. Only one television camera, operated by one person and two still photographers, each with only one camera may be in the courtroom at any one time. The cameras may not have any "insignia or other indication of organizational affiliation". Pooling arrangements are the sole responsibility of the media.

Authority: Administrative Order--Cameras in the Courtroom (July 11, 1994) (West, 2000).

Maryland

In the absence of a statutory provision requiring close proceedings or permitting closed proceedings, coverage is permitted at civil trials, upon written consent of all the parties. Consent is not required, however, from a party that represents the government, or from an individual being sued in his or her governmental capacity. At the appellate level, consent is not required, but a party may move to limit or terminate coverage at any time. Requests for coverage must be submitted to the clerk of the court where the proceedings will be held at least five days before the trial begins. Coverage of jury selection, jurors or courtroom spectators, private conferences between an attorney and a client or conferences at the bench is prohibited. Not more than one television camera is permitted in any trial court proceeding, and not more than two are allowed in appellate proceedings. Only one still photographer, with not more than two cameras with not more than two lenses each, is allowed in both trial and appellate proceedings. Pooling arrangements are the sole responsibility of the media.

Coverage is prohibited in criminal trials.

Authority: Rule 16-109, Maryland Rules Annotated, (2007); MD Code, Criminal Proc. § 1-201 (2007).

Massachusetts

Rule 1:19 of the Supreme Judicial Court of Massachusetts permits extended coverage of all proceedings open to the public except hearings on motions to suppress or to dismiss, or of probable cause or jury selection hearings. Close-up short of bench conferences, conferences between attorneys, or attorney-client conferences is prohibited. Frontal and close-up photography of the jury "should not usually be permitted." The media must submit requests for coverage to the presiding judge "reasonably" in advance of the proceeding to be covered, or risk denial. Before a party or a witness may move to limit media coverage, it must first notify the Bureau Chief, Newspaper Editor, or Broadcast Editor of the Associated Press. Oral arguments before the Supreme Judicial Court are available by webcast.

Authority: Rule 1:19, Rules of Massachusetts Supreme Judicial Court, (2004).

Guidelines on the Public's Right of Access to Judicial Proceedings and Records (2000).

Webcast: Supreme Judicial Court

Michigan

Extended coverage of judicial proceedings is permitted, but requests for coverage must be made in writing not less than three business days before the proceeding is scheduled to begin. A judge may terminate, suspend or exclude coverage at any time upon a finding, made and articulated on the record that the rules for coverage have been violated or that the fair administration of justice requires such action. Such decisions are not appealable. Coverage of jurors or the jury selection process is not permitted. The judge has sole discretion to exclude coverage of certain witnesses, including but not limited to, the victims of sex crimes and their families, police informants, undercover agents and relocated witnesses.

Authority: Canon 3A(7), Michigan Code of Judicial Conduct, Michigan Rules of Court 1986; Administrative Order No.1989-1, Film or Electronic Media Coverage of Court Proceedings

Minnesota

Expanded coverage is permitted at both the trial and appellate level, but at the trial level, the judge and all parties must consent to coverage prior to commencement of the trial. All courtroom coverage must occur in the presence of the presiding judge. Coverage of witnesses who object prior to testifying and coverage of jurors is prohibited, as is coverage of hearings that take place outside of the presence of the jury. Coverage is prohibited in cases involving child custody, divorce, juvenile proceedings, hearings on suppression of evidence, police informants, relocated witnesses, sex crimes, trade secrets, and undercover agents. Judges and media representatives must inform the Supreme Court of denials of coverage requests and the reason for such denials.

At the appellate level, consents of the parties and witnesses are not required, but the Clerk of the Appellate Courts must be notified of an intent to cover the proceedings at least 24 hours in advance of the coverage. Only one television camera and one still photographer, using not more

than two cameras with two lenses each are permitted in the courtroom during proceedings. The media are responsible for arranging pooling agreements.

Authority: Canon 3A(10), Minnesota Code of Judicial Conduct, Minn. Stat. Ann. vol. 52 (West); Rule 4, General Rules of Practice for the District Courts, Minn. Stat. Ann. vol. 51 (1999).

Policy Guidelines

Mississippi

Electronic media coverage of judicial proceedings (trial, pre-trial hearings, post-trial hearings and appellate arguments) is permitted in Mississippi's Supreme Court, Court of Appeals, chancery courts, circuit courts and county courts. Mississippi's Rules for Electronic and Photographic Coverage of Judicial Proceedings ("MREPC"), effective July 1, 2003, prohibit electronic media coverage in justice and municipal courts.

Electronic coverage is subject to the authority of the presiding judge who may limit or terminate coverage at any time if there is a need to protect (1) the rights of the parties or witnesses, (2) the dignity of the court or, (3) to assure orderly conduct of the proceedings. Any party may object by written motion, filed no later than 15 days prior to the proceeding, unless good cause allows for a shorter filing period. Under MREPC the media is required to notify the clerk and the court of any plans to cover a proceeding at least 48 hours prior to the proceeding.

The media must comply with certain coverage restrictions. Electronic coverage of police informants; minors; undercover agents; relocated witnesses; victims and families of victims of sex crimes; victims of domestic abuse, and members or potential members of the jury (before their final dismissal) is expressly prohibited. In addition, audio recordings of off-the-record conferences and coverage of closed proceedings are also prohibited. Similarly, coverage of divorce; child custody; support; guardianship; conservatorship; commitment; waiver of parental consent to abortion; adoption; delinquency and neglect of minors; paternity proceedings; termination of parental rights; domestic abuse; motions to suppress evidence; proceedings involving trade secrets; and in camera proceedings are prohibited unless authorized by the presiding judge.

Only one television camera, one video recorder, one audio system, and one still camera are allowed in the courtroom at one time and the media are responsible for pooling arrangements. If the media cannot agree to a pooling arrangement, all contesting media personnel shall be excluded from the proceeding. Electronic media coverage may not distract from the courtroom proceedings, and in accordance with this principle, no artificial, flash or strobe lighting is allowed in the courtroom without the notification and approval of the presiding judge. All wires must be taped to the floor and equipment may only be moved before or after a proceeding or during a recess. The presiding judge may "relax" the technical restrictions so long as no distractions are created.

Authority: Rules for Electronic and Photographic Coverage of Judicial Proceedings ("MREPC"); Cannon 3B(12), Code of Judicial Conduct of Mississippi Judges; Rule 1.04, Uniform Rules of Circuit and County Courts, Mississippi Rules of Court.

Missouri

Media coverage at both the trial and appellate levels are permitted, but coverage of jury selection, juvenile, adoption, domestic relations, and child custody cases is not permitted. Requests for coverage must be made to the media coordinator, in writing, at least five days in advance of the scheduled proceeding, and the media coordinator must then give written notice of the request to counsel for all parties, parties appearing without counsel and the judge at least four days in advance of the proceeding. Coverage of objecting participants who are victims of crimes, police informants, undercover agents, relocated witnesses, or juveniles is prohibited. Further, the judge may prohibit coverage of any or all of a participant's testimony, either upon the objection of the participant, party, or the court's own motion. Only one television camera and one still photographer, using not more than two cameras with two lenses each, are allowed in the courtroom at any one time. The media are responsible for all pooling arrangements.

Authority: Administrative Rule 16, Missouri Supreme Court Rules, (2005).

Montana

Coverage of trial and appellate courts is permitted, though judges may restrict coverage of proceedings upon a finding that media coverage will "substantially and materially interfere with the primary function of the court to resolve disputes fairly under the law."

Authority: Canon 35, Montana Canons of Judicial Ethics, 176 Mont. xxiii, 6 Media L. Rep. (BNA) 1543 (1980).

Nebraska

Media coverage in the Supreme Court and Court of Appeals is explicitly permitted, but this right is only afforded to "persons or organizations which are part of the news media." Party consent is not required, although a party may file an objection to media coverage before commencement of the proceeding in question.

Authority: Rules 17, 18; Rules of the Supreme Court/Court of Appeals; Nebraska Court Rules and Procedure (West).

Reporters' Guide to Media Law and Nebraska Courts

Nevada

Extended media coverage is permitted, at the judge's discretion except for certain proceedings which are made confidential by law. Obtaining the consent of the participants is not required, but the judge may prohibit coverage of any participant who does not consent to being filmed or photographed. Requests for coverage must be made in writing at least 72 hours in advance of the proceeding, but the judge may grant a request on shorter notice for "good cause." Deliberate coverage of jurors or of conferences of counsel is not allowed. No more than one television camera and one still photographer are allowed in a proceeding at any one time, and the media are responsible for any pooling arrangements.

Authority: Nevada Supreme Court Rules, Part IV, Rules on Cameras and Electronic Media Coverage in the Courts, (2006).

New Hampshire

Rule 19 of the Rules of the Supreme Court of New Hampshire permits coverage of that court's proceedings subject to the Court's consent.

Rule 78 of the Rules of the New Hampshire Superior Court exhorts judges to permit the media coverage of all proceedings open to the general public, unless the coverage creates a substantial likelihood of harm to a person or party. While those wishing to cover a proceeding must obtain the court's permission, in Petition of WMUR Channel 9, 148 N.H. 644 (2002), the New Hampshire Supreme Court stated that permission *should* be granted unless four requirements are met: "(1) closure advances an overriding interest that is likely to be prejudiced; (2) the closure ordered is no broader than necessary to protect that interest; (3) the judge considers reasonable alternatives to closing the proceedings; and (4) the judge makes particularized findings to support the closure on the record." Id. Photography of jurors is prohibited.

The media rule of the New Hampshire District Courts is substantially similar to that of the Superior Court. The differences between the two courts' media rule arise provide that upon the petition of any party the court may, in its discretion, permit coverage of its judicial proceedings.

Authority: Rule 19, New Hampshire Supreme Court Rules; Rule 78, New Hampshire Superior Court Rules and Directory; Rule 1.4, New Hampshire District and Municipal Court Rules, (2000).

New Jersey

Canon 3A(9) of the New Jersey Code of Judicial Conduct exhorts judges to allow "bona fide media" to cover proceedings. To this end, the Supreme Court has issued a set of guidelines for media coverage, which grants judges some latitude in limiting coverage, especially where the coverage may result in a substantial likelihood of harm to a witness or party. Unlike other jurisdictions, the media are granted the right to appeal any order excluding or varying coverage. Photography of the jury is prohibited, and photography and audio recording is prohibited in certain types of proceedings, such as juvenile proceedings, proceedings to terminate parental rights, child abuse/neglect proceedings, custody proceedings, and "proceedings involving charges of sexual contact or charges of sexual penetration or attempts thereof when the victim is alive." Photography and audio recordings of crime victims under the age of 18 or witnesses under the age of 14 may be permitted at the trial judge's discretion. Additionally, while coverage of juvenile proceedings is usually forbidden, courts, in their discretion, may allow coverage of 17-year old defendants in proceedings involving motor vehicle violations. The media are responsible for pooling arrangements.

Authority: Canon 3A(9), Code of Judicial Conduct; Supreme Court Guidelines for Still and Television Camera and Audio Coverage of Proceedings in the Courts of New Jersey (2003).

Webcast: Archive of Supreme Court Oral Arguments (Webcasts)

New Mexico

Electronic coverage of proceedings in the state's appellate and trial courts is permitted, although the judge may limit or deny coverage for good cause. The judge also has wide discretion to exclude coverage of certain types of witnesses, including, but not limited to, the victims of sex crimes and their families, police informants, undercover agents, relocated witnesses and juveniles. Filming of the jury or any juror is prohibited, as is filming of jury selection. Coverage of any attorney-client or attorney-court conferences is prohibited. Those wishing to cover a proceeding must notify the clerk of the particular court at least 24 hours in advance of the proceeding. Only one television camera and two still photographers, each with one camera are allowed in the courtroom at any one time, and any pooling arrangements are the responsibility of the media.

Authority: Rule 23-107, New Mexico Supreme Court General Rules, (2000).

New York

Appellate Courts

Electronic photographic recording of proceedings in appellate courts is permitted, subject to the approval of the respective appellate court. Consent to coverage by parties or the attorneys is not required and any objections by attorneys or parties are limited to those showing good cause. Only two television cameras and two still photographers are allowed in the courtroom at any one time, and coverage is subject to various other technical conditions concerning media equipment.

Trial Courts

Section 52 of the Civil Rights Law ("Section 52") imposes a per se ban on all televising of trial court proceedings, no matter what the circumstances of the case or the assessment of the presiding judge. The statute became effective on July 1, 1997, when Section 218 of the Judiciary Law ("Section 218") expired by operation of law. For all but one of the prior ten years, Section 218 had allowed, subject to specific limits in certain types of cases and with respect to certain trial participants, the televising of trials in New York State. In 1997, the Legislature failed to renew Section 218, resulting in the reimposition of Section 52, and thus barring extended coverage of trial proceedings. In response to the per se ban, a number of trial judges ruled Section 52 unconstitutional and permitted camera coverage. On June 16, 2005, however, the New York Court of Appeals effectively ended the debate by affirming a lower court's holding that Section 52 is constitutional. Unless the Legislature enacts a statute overruling the Court of Appeals, cameras will not be allowed in trial court proceedings for the foreseeable future.

Authority: Courtroom Tel. Network, LLC v. New York; New York Civil Rights Law § 52 (trial court); 22 NYCRR §§ 29.1-29.2 (appellate court); NY CLS Standards & Administrative Policies § 131 (2000).

North Carolina

The rules for coverage require that the equipment and personnel used in coverage be neither seen nor heard by anyone inside the courtroom and that all personnel and equipment be located in an area set apart by a booth or partition with appropriate openings to allow photographic coverage. The presiding trial judge may permit coverage without booths, however, if coverage would not disrupt the proceedings or distract the jurors. The Chief Justice of the Supreme Court and the Chief Judge of the Court of Appeals may waive the booth requirements in proceedings in these courts. Hand-held audio tape recorders may be used upon prior notification to, and with the approval of, the presiding judge.

The rules do not require the consents of participants, but prohibit coverage of jurors. In addition, coverage of certain types of proceedings, such as adoption, divorce, juvenile proceedings, and trade secrets cases, is prohibited. Coverage of certain types of witnesses, such as police informants, undercover agents, victims of sex crimes and their families, and minor witnesses is also not permitted. Only two television cameras and one still photographer are allowed in the courtroom at any one time, and the media are responsible for any pooling arrangements.

Authority: Rule 15, General Rules of Practice for the Superior and District Courts of North Carolina, North Carolina Rules of Court (2000).

North Dakota

Extended media coverage is authorized in all courts. The judge may deny media coverage of any proceeding or portion of a proceeding in which the judge determines that media coverage would materially interfere with a party's right to a fair trial or when a witness or party objects and shows good cause why expanded coverage should not be permitted. The judge may also deny coverage if: the coverage would include testimony of an adult victim or witness in sex offense prosecutions; or would include a juvenile victim or witness in proceedings in which illegal sexual activity is an element of the evidence; or coverage would include undercover or relocated witnesses.

Coverage of proceedings held in chambers, proceedings closed to the public, and jury selection is prohibited. Conferences between an attorney and client, witness or aide, between attorneys, or between counsel and the bench may not be recorded or received by sound equipment. Further, close up photography of jurors is also prohibited.

Requests for expanded media coverage of the Supreme Court must be made at least seventy-two hours before the proceeding and must be made by regular mail and, if possible, by facsimile with copies to counsel of record.

Requests for expanded media coverage of trial court proceedings must be made to the presiding judge at least seven days before the proceeding. Notice of the request must be given to all counsel of record and any pro se parties. The notice must be in writing and filed with proof of service with the clerk of the appropriate court.

Authority: Administrative Rule 21; (North Dakota Court Rules).

Ohio

Rule 12 of the Rules of Superintendence for the Courts of Ohio requires judges to permit coverage of proceedings that are open to the public, subject to certain exceptions.

At the trial level, coverage of objecting witnesses and victims is prohibited. The judge is also required to inform victims and witnesses of their right to object to coverage. Requests for coverage must be submitted to the presiding judge, as the consent of the judge is required for coverage to take place. Only one still photographer and one television camera are permitted in the courtroom, unless the judge grants permission to use additional cameras. Coverage of attorney-client conferences and any bench conferences is prohibited. In addition to these rules, local courts may impose additional obligations and requirement for extended coverage.

Rule 12 may be modified by local rules. For example, the Hamilton County Court of Common Pleas requires broadcasters to use the court's audio system and permits coverage requests to be made up to thirty (30) minutes before the start of the proceeding.

Authority: Rule 12, Rules of Superintendence for the Courts of Ohio (2005); Hamilton County Common Pleas Rule 30.

Oklahoma

Trial and appellate coverage is permitted, but express permission of the judge is required. Coverage of objecting witnesses, jurors, or parties is not permitted in either criminal or civil proceedings. Moreover, no coverage is allowed in criminal trials without the express consent of all accused persons.

Authority: Title 5, Oklahoma Statutes, Chapter 1, Appendix 4, Canon 3B(9).

Oregon

In the appellate courts, broad discretion to permit or deny coverage is vested in the judge, who may deny coverage to "control the conduct of the proceedings before the court, insure decorum and prevent distractions, and insure the fair administration of justice in proceedings before the court." Only one television camera and one still photographer are allowed in the courtroom at any one time, and any pooling arrangements are the responsibility of the media.

At the trial court level, coverage is allowed, but a judge may deny coverage if there is a "reasonable likelihood" that the coverage would interfere with the rights of the parties to a fair trial, would affect the presentation of evidence or the outcome of the trial, or if "any cost or increased burden resulting" from the coverage would interfere with the "efficient administration of justice." Coverage of dissolution, juvenile, paternity, adoption, custody, visitation, support, mental commitment, trade secrets, and abuse, restraining and stalking order proceedings is prohibited. Also, coverage of sex offense proceedings will be prohibited at the victim's request. Upon request, those covering a proceeding must provide a copy of the coverage to the court and "any other person, if the requestor pays actual copying expense."

Courts may adopt local rules to establish procedural requirements governing media access.

Authority: Rule 8.35, Rules of Appellate Procedure; Rule 3.180 Uniform Trial Court Rules, Oregon Rules of Court-State (2006).

Pennsylvania

Photography or broadcasting of judicial proceedings is generally prohibited in both civil and criminal trials.Canon 3A(7) does, however, permit judges to authorize media coverage of non-jury civil proceedings. Coverage of support, custody, and divorce proceedings is prohibited. A judge may only authorize coverage with the consent of the parties. Additionally, coverage of objecting witnesses is prohibited. Media wishing to seek permission to cover a proceeding should speak in advance with the courtroom tipstaff, as the presiding judge must expressly authorize coverage.

Coverage is prohibited in proceedings before District Justices.

Local rules may vary.

Authority: Canon 3A(7), Code of Judicial Conduct; Rule 112, Pennsylvania Rules of Criminal Procedure; Rule 223, Pennsylvania Rules of Civil Procedure (Official Note); Rule 7, Rules of Conduct, Offices Standards and Civil Procedure for District Justices (2005).

Rhode Island

Extended coverage is prohibited in all trial-level criminal proceedings. At the appellate level and in civil proceedings, the judges have "sole discretion" to "entirely exclude media coverage of any proceeding or trial over which he or she presides." Exclusion by the trial court may also be based on a party's request for non-coverage. Coverage of juvenile, adoption or any other matters in the Family Court "in which juveniles are significant participants" is prohibited. Coverage of hearings which take place outside of the jury's presence (e.g., hearings regarding motion to suppress evidence) is not permitted. After the jury has been impaneled, individual jurors may be photographed, with their consent. Where photographing of the jury is unavoidable, close-ups that clearly identify individual jurors are not permitted.

Only one television camera and one still photographer, using not more than two cameras, are allowed in the courtroom, and the media must arrange for any pooling arrangements.

Authority: Article VII, Rhode Island Supreme Court Rules, Rhode Island Court Rules Annotated; Rule 53, Rhode Island Superior Court Rules of Criminal Procedure (2005).

South Carolina

Extended media coverage is permitted, but presiding judges are given significant discretion to limit coverage. Those wishing to cover a proceeding must give the presiding judge "reasonable notice" of the request for coverage, and the judge may request a written notice. The judge may also refuse, limit or terminate media coverage of an entire case, portions thereof, or testimony of particular witnesses. Coverage of prospective jurors is prohibited and members of the jury may not be photographed except when they happen to be in the background of other subjects being

photographed. Two television cameras and two still-photographers are allowed in the courtroom at one time, and the media are responsible for any pooling arrangements. Media personnel's equipment and clothing must not "bear the insignia or marking of any media agency," and the cameraperson must wear "appropriate business attire."

Authority: Rule 605 and Part 6, Appendix B, Form 1, South Carolina Appellate Court Rules, South Carolina Rules of Court (2007).

South Dakota

Extended coverage of trial and intermediate appellate court proceedings is prohibited. Expanded media coverage of Supreme Court proceedings is permitted. Under Rule 15-24-6, public appellate proceedings are presumed open, but parties may file an objection to such coverage 10 days prior. The rule provides that media coverage may not be limited unless it is shown that such coverage would materially interfere with the rights of the parties or the administration of justice.

Authority: Canon 3B(12), South Dakota Code of Judicial Conduct, S.D. Codified Laws, § 15-24-6.

Webcasts: South Dakota Supreme Court Oral Arguments

Tennessee

Extended coverage is permitted in all courts. Requests for coverage must be made in writing to the presiding judge not less than two business days before the proceeding. Coverage of a witness, party or victim who is a minor is prohibited except when a minor is being tried for a criminal offense as an adult. Coverage of the jury selection and the jurors during the proceeding is also prohibited.

In juvenile court proceedings, the court will notify parties and their counsel that a request for coverage has been made and prior to the beginning of the proceedings, the court will advise the accused, the parties and the witnesses of their right to object. Objections by a witness in a juvenile case will limit coverage of that witness. Objections to coverage by the accused in a juvenile criminal case or any party in a juvenile civil action will prohibit coverage of the entire proceeding.

Only two television cameras and two still photographers, using not more than two cameras each, are allowed in the courtroom at one time. The media are responsible for any pooling arrangements.

Appellate review of a presiding judge's decision to terminate, suspend, limit, or exclude media coverage shall be in accordance with Rule 10 of the Tennessee Rules of Appellate Procedure.

Authority: Rule 30, Rules of the Tennessee Supreme Court, Tenn. Code Ann., Vol. 5A (2007).

Texas

Rule 18c, Texas Rules of Civil Procedure, and Rule 14, Texas Rules of Appellate Procedure, provide for the recording and broadcasting of civil court proceedings.

Rule 18c allows television, radio and photographic coverage with the consent of the trial judge, the parties and each witness to be covered. Coverage also may not "unduly distract participants or impair the dignity of the proceedings."

Rule 14 technically permits coverage of civil and criminal appellate proceedings. Requests for coverage at the appellate level must be filed five days prior to the proceeding, and coverage may be subject to other limitations imposed by the presiding judge(s). Those seeking coverage at the trial level should check with the local court, as the Supreme Court has approved local rules submitted by counties and cities in the state to allow coverage of trial proceedings and will continue to do so.

Authority: Rule 18c, Rules of Civil Procedure; Rule 14, Rules of Appellate Procedure (2007).

Utah

Under Rule 4-401, filming, video recording and audio recording of appellate proceedings is permitted to preserve the record and as permitted by procedures of those courts, but is prohibited in trial proceedings except to preserve the record. Still photography of trial and appellate proceedings is permitted at the discretion of the presiding judge. Requests for still photography coverage should be made at least 24 hours prior to the proceeding but will be considered less than 24 hours ahead for good cause.

Authority: Rule 4-401, Utah Code of Judicial Administration (2000).

Vermont

Extended media coverage of Supreme Court proceedings is permitted without the consent of the full court, but the Chief Justice has discretion to prohibit coverage. Audio recording of conferences between members of the Court, between co-counsel or between counsel and client is prohibited. Only two television cameras, each operated by one cameraperson, and one still photographer, using not more than two cameras, are permitted in the Supreme Court at any one time.

At the trial level, coverage is permitted in the courtroom and in immediately adjacent areas that are generally open to the public. Consent of parties and witnesses is not required, but the trial judge has discretion to prohibit, terminate, limit or postpone coverage on the judge's own motion or on a motion of a party or request of a witness.

Coverage of jurors is prohibited, except in the background when courtroom coverage would be otherwise impossible. While the rules do not ban coverage of specific types of cases, the reporter's note accompanying the rule suggests that coverage of sex offense, domestic relations, trade secret cases or offenses in which the victim is a minor may be inappropriate. This issue is left to the discretion of the trial judge to evaluate on a case-by-case basis. No proceeding that is closed to the public, by statute, may be covered. Only one television camera, operated by one cameraperson, and one still photographer, using not more than two cameras, are permitted in the

courtroom at any one time. The media are responsible for any pooling arrangements. There is no right to an interlocutory appeal of a decision to prohibit or limit coverage.

Authority: Rule 35, Vermont Rules of Appellate Procedure; Rule 53, Vermont Rules of Criminal Procedure; Rules 79.2 & 79.3, Vermont Rules of Civil Procedure; 79.2, Rules of Probate Procedure (2000).

Vermont Rules

Virginia

Extended media coverage of both trial and appellate proceedings is permitted in the sole discretion of the trial judge. Coverage of jurors as well as certain kinds of witnesses (police informants, minors, undercover agents and victims and families of victims of sexual offenses) is prohibited. Media coverage of adoption, juvenile, child custody, divorce, spousal support, sexual offense, trade secret and in camera proceedings and hearings on motions to suppress evidence is prohibited as well. Not more than two television cameras and one still photographer (using no more than two cameras) are allowed in the courtroom at any one time, and the media are responsible for any pooling arrangements.

Authority: Va. Code Ann. § 19.2-266 (1992).

Washington

The Courts of Washington permit extended media coverage of trial and appellate courtroom proceedings. The presiding judge may place conditions on the coverage, and the judge must expressly grant permission and ensure that the media personnel will not distract participants or impair the dignity of the proceedings. If a judge finds that media coverage should be limited, he or she must make, on the record, particularized findings that relate to specific circumstances of the proceeding. Judges may not rely on "generalized views" to limit media coverage.

The Bench-Bar-Press Committee, established in 1963, seeks to "foster better understanding and working relationships between judges, lawyers and journalists who cover legal issues and courtroom stories." In addition to moderating disputes between the bench and the press, the Committee promulgates a nonbinding Statement of Principles as well as an annual report of its "Fire Brigade" (also known as its Liaison Committee).

Authority: Rule 16, General Rules, Washington Court Rules - State (West).

Bench-Bar-Press Committee
Fire Brigade's 2006 Report on Activities.

West Virginia

West Virginia's rules permit coverage of both trial and appellate proceedings but also permits a presiding judge to terminate coverage if he or she "determines that coverage will impede justice

or create unfairness for any party." Requests for media coverage must be made at least one day in advance of the proceeding. The presiding judge may sustain or deny objections made by parties, witnesses and counsel to the coverage of any portion of a proceeding. Audio coverage of attorney-client meeting or any other conferences conducted between and among attorneys, clients, or the presiding judge is prohibited. Coverage that shows the face of any juror or makes the identity of any juror discernible is prohibited without juror approval. Only one television camera and one still photographer are allowed in the courtroom at any one time, and the media are responsible for any pooling arrangements.

Authority: Canon 3B(12), West Virginia Code of Judicial Conduct; Rules Governing Camera Coverage of Courtroom Proceedings, West Virginia Code Annotated; Rule 8, West Virginia Trial Court Rules (2007); Media Coverage of Courtroom Proceedings in the Supreme Court of Appeals, Rule 1 (2007)

Wisconsin

Extended coverage is permitted, but the presiding judge retains the authority to determine whether coverage should occur and, upon a finding of cause, to prohibit coverage. The trial judge retains the power, authority and responsibility to control the conduct of proceedings, including the authority over the inclusion or exclusion of the media and the public at particular proceedings or during the testimony of particular witnesses under the experimental and permanent guidelines. A presumption of validity attends objections to coverage of participants in cases involving the victims of crimes (including sex crimes), police informants, undercover agents, juveniles, relocated witnesses, divorce, trade secrets, and motions to suppress evidence. An individual juror may be photographed only after his or her consent has been obtained. Photographs of the jury are permitted in courtrooms where the jury is part of the unavoidable background, but close-ups, which enable jurors to be clearly identified, are prohibited. Audio coverage of conferences between an attorney and a client, co-counsel, or attorneys and the trial judge is also prohibited. Three television cameras and three still photographers, using not more than 2 cameras each, are allowed in the courtroom to cover a proceeding. Disputes regarding a court's application of Chapter 61 are treated as administrative matters, which may not be appealed.

Authority: Chapter 61, Wisconsin Supreme Court Rules (1999).

Wyoming

Extended media coverage is allowed in at both the appellate and trial court levels. A request for media coverage must be submitted 24 hours or more prior to the proceedings. The media may not make any close-up photography or visual recording of the members of the jury, nor may it make an audio recording of conferences between attorney and client or between counsel and the presiding judge. Additionally, equipment may not be moved during a proceeding. The trial judge has broad discretion in deciding whether there is cause for prohibition of coverage. Requests to limit media coverage enjoy a presumption of validity in cases involving the victims of crimes, confidential informants, and undercover agents, as well as in evidentiary suppression hearings.

Authority: Rule 804, Uniform Rules of the District Courts of the State of Wyoming; Rule 53, Wyoming Rules of Criminal Procedure, (2007).

Last Updated May 25, 2007, courtesy of Matthew Gibson for Kathleen Kirby.

NATIONAL CENTER FOR STATE COURTS

COURT-MEDIA RELATIONS

MEDIA COVERAGE OF STATE COURT PROCEEDINGS

TABLE

State	Legal authority	Consent	Prohibitions[1]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
AL	Ala. Canons of Jud. Ethics Canon 3A(7), 3A(7A), 3A(7B)	Accused persons before court & lead prosecutor must affirmatively give written consent. Canon 3A(7A)(b). Civ. litigants involved in case & their attys must affirmatively give written consent. Canon 3A(7A)(c). App. attys & parties must affirmatively give written consent. Canon 3A(7B)(b).	Witness Parent or guardian of testifying witness who is a minor. Where juror, party, or atty expressly objects.	Courtroom Media Plan of the Alabama Court of Criminal Appeals, eff. Oct. 21, 1993 (approved by May 13, 1991 Order). Exhibit A, Request for Media Coverage in the Alabama Court of Criminal Appeals (to be signed by media rep. & clerk). Exhibit B., Consent for Media Coverage in the Court of Criminal Appeals (to be signed by attys, witnesses, & parties).	Motion to Allow Full and Unrestricted Media Coverage in the Court of the Judiciary for the Trial and in All Proceedings of Chief Justice Roy S. Moore before the Court of the Judiciary & Amendment to Motion [...] (October 2003).	
AK	Alaska Admin. Rule 50 Alaska Admin. Bulletin 45, Media Coverage	In dom. violence & dom. relations (including paternity, custody, etc.) all parties, including guardian ad litem, must consent. Admin. R. 50(c).	Jurors may not be photographed, filmed, or videotaped during proceedings. Admin. R. 50(e)(2).	Media shall apply to judge presiding over proceeding to be covered at least 24 hrs. before proceeding unless good cause shown.		

[1] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[2]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
AK (cont'd)		Sex offense victim may not be photographed, filmed, videotaped, sketched w/o consent of court & victim. Admin. R. (e)(1).		Admin. R. 50(b)(1). Judge may designate location in public area for which application need not be submitted. Admin. R. 50(b)(2).		
AZ	Ariz. Supreme Court R. 122 Attys bound by Ariz. Rules of Professional Conduct governing trial publicity. Ariz. Supreme Court R. 42, ER 3.6, trial publicity prohibits making "extrajudicial statement that the lawyer knows or reasonably should know will be disseminated by means of public communication and will have a substantial likelihood of materially prejudicing an adjudicative proceeding."	Where adoption proceedings are memorialized, parties & court must all agree to coverage. See prohibitions, next column.	No electronic or still coverage of juv. proceedings, except in adoptions "for the purposes of memorializing the event." R. 122(a). Coverage of witnesses may be prohibited at judge's discretion. R. 122(c). Coverage of jurors that "will permit recognition of individual jurors by the public is strictly forbidden"; discourages any coverage of jurors. R. 122(k).			Media inquiries, links to reports, press release archive, opinions, etc.

[2] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[3]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
AR	Ark. A.O. No. 6 governs media coverage generally. Ark. R.Cr.P., Art. XI, R. 38, News Media Broadcasting or Publishing: "No rule of court or judicial order shall be promulgated that prohibits representatives of the news media from broadcasting or publishing any information in their possession relating to a criminal case." Ark. Rule of Prof. Conduct 3.6, Trial Publicity, forbids atty from making "an extrajudicial statement that the lawyer knows or reasonably should know will be disseminated by means of public communication and will have a substantial likelihood of materially prejudicing an adjudicative proceeding in the matter."	Witnesses have right to refuse; court must inform them of this right. A.O. No. 6 (c)(2). In camera proceedings, except where court consents. A.O. 6(c)(4). Parental consent req'd for coverage of minors. A.O. No. 6(c)(5).	Juv. matters, probate, & dom. relations hearings in circ. court (adoptions, guardianships, divorce, custody, support, paternity). A.O. No. 6(c)(3). In camera proceedings, except where court consents. A.O. 6(c)(4). Jurors, minors w/o parental consent, sexual offense victims, undercover police, informants. A.O. No. 6(c)(5).			Press releases

[3] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[4]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
CA	Cal. Rule of Court 1.150. Photographing, Recording, & Broadcasting in Court.[5] Contra Costa Co. Super. Court Loc.R. I(1), Public Hearings, allows judge to admit public & media deemed to "have a direct and legitimate interest in the particular case or work of the court" into juv. court proceedings. Rule I(2) authorizes judge to allow media into delinquency proceedings.[6] Del Norte Co. Super. Court Loc.R. XVIII, Photographs, allows still, motion, broadcast, or recording of proceedings by court order only. Fresno Co. Super. Court R. 4.1.4, Requests to Conduct Media Coverage. Los Angeles Co. Super. Court R. 4.1.	Consent req'd of any prospective &/or discharged juror or alternate. San Joaquin Co. Super. Court R. 1-107(D)(2).	Judge may not allow coverage of proceedings held in chambers or otherwise closed to public, jury selection, jurors, spectators, or atty-client conferences. R. 1.150(e)(6)(A)-(E). Super. Court of Los Angeles Co. R. 4.1(3) prohibits filming "any person wearing a juror badge in the Court." Super. Court of Mendocino Co. R. 26.2 prohibits "photographing and filming any juror or summoned prospective juror." Orange Co. Super. Court Rules, Ch. 4, R. 180(C), reiterates prohibitions in Calif. Rules of Court, R. 1.150(e)(6). R. 180(B)(6) contains special provisions for the Lamoreaux Justice Center (juv. court). San Joaquin Co. Super. Court R. 1-107(D)(2) prohibits coverage of "anyone wearing a juror badge"; "anyone standing in line going into the Jury	Media Request to Photograph, Record, or Broadcast (MC-500) Order on Media Request to Permit Coverage (MC-510) Forms are interactive.	Remote electronic access for extraordinary criminal cases: *People v. Michael Jackson*	California Courts' Online Press Center. Butte Co. Super. Court Notices & Press Info Kern Co. Super. Court Media Corner contains press releases, mailing list, & rules Riverside Co. Super. Court News and Media Sacramento Co. Super. Court News and Media San Diego Co. Super. Court News Releases Santa Barbara Co. Super. Court Announcements Santa Clara Co. Super. Court News Releases Santa Cruz Co. Super. Court News & Press Ventura Co. Super. Court press releases

[4] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.
[5] Effective January 1, 2007, rules were renumbered; this rule was formerly numbered 980.
[6] Note that the rule does not mention cameras or broadcasting; the focus is on media presence, nothing more.

State	Legal authority	Consent	Prohibitions[7]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
CA (cont'd)	Mendocino Co. Super. Court R. 26, Photographing or Recording Court Proceedings. Orange Co. Super. Court Rules, Ch. 4, R. 180, Photographing, Recording, and Broadcasting in Court. Riverside Co. Super. Court R. 9.5000, Media Inquiries. San Joaquin Co. Super. Court R. 1-107, Media Coverage. Santa Barbara Co. Super. Court R. 605, Requests for Media Coverage. Stanislaus Co. Super. Court R. 1.10, Photographing, Recording and Broadcasting in Court. First App. Dist., Loc.R. 15, Media Coverage of Matters at Oral Argument.		Assembly Room"; prospective or discharged jurors or alternates. Faces may be "blurred or digitized beyond recognition." R. 1-107(D)(3)(a) similarly prohibits coverage of spectators, but (b) notes that (a)'s prohibition "shall not apply to any person situated in the audience who becomes disruptive or who addresses the court if [...] authorization has previously been granted for those proceedings" unless judge prohibits such coverage in advance.			

[7] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[8]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
CO	Colo. Code of Jud. Conduct Canon 3(A)(8) Colo. Rule of Professional Conduct 3.6, Trial Publicity		CJC 3(A)(8)(c)(I)-(VI) prohibits expanded coverage of pretrial hearings in crim. cases & voir dire; close-ups of bench conferences; audio or close-up of counsel-client communications or between co-counsel; expanded coverage of in camera proceedings; close-ups of jury.	Request for Expanded Media Coverage 20th Jud. Dist. A.O. 02-102 (updated 9/7/05), Expanded Media Coverage of Court Proceedings Boulder County Bar Association Bar Media Manual	Recent Trial Court Cases & Opinions of Interest to the Public & Press JonBenet Ramsey case info appears on the 20th Jud. Dist. Media Information site.	Media matters 20th Jud. Dist. Media Information
CT	Connecticut increased electronic coverage of oral arguments in the intermediate appellate court and court of last resort, per amendments eff. June 1, 2007. The changes amend Conn. RAP §70-9, and repeal RAP §70-10. The amendments create a presumption in favor of coverage. Conn. Super. Court Rules §§1-10, 1-11 Atty conduct governed by DR 3.6 of Rules of Prof. Conduct; see also RAP 70-10(k). & Rules for the Super. Court §1-11(n). Conn. Super. Court rule	In cases to which the presumption does *not* apply (RAP §70-9(c)(i)(A)-(E)), any person may *request* coverage by filing a motion not later than 1 wk. before start of term for which case is subject to being assigned. Notice must be provided by the applicant to counsel, pro se parties, victims, and children. RAP §70-9(c)(ii).	The presumption in favor of coverage does not apply to cases involving sexual assault; risk of injury to, or impairing the morals of, a child; abuse or neglect of a child; termination of parental rights; contested custody or visitation. RAP §70-9(c)(i)(A)-(E). Super. Court Rules §1-11(d)(1)-(6) prohibit proceedings related to family, sentencing, trade secrets, sex offenses, trials closed to comply w/state law; if jury trial, broadcasting must be done outside presence of jury.			Online Media Resource Center

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	1-10(b) allows attys to possess elec. devices as long as they do not use them in a prohibited fashion.					
State	**Legal authority**	**Consent**	**Prohibitions**[9]	**Handbooks, guidelines, applications, & forms**	**Notorious cases**	**Press info**
CT (cont'd)			§1-11(g) prohibits coverage of jurors, except "where televising or photographing is impossible without including the jury as part of the unavoidable background," but prohibits close-ups. §1-11(f) prohibits broadcasting, etc., of atty-judge bench conferences, or atty-client conferences.			
DE	Canon 3A(7), Del. Judges' Code of Jud. Conduct, adopted by Del. Supreme Court, R. 84; Del. Fam. Ct., R. 53; R. 53, Del. Super. Court Crim. Rule 53; Del. Courts of Justices of the Peace, R. 31; Del. Ch. R. 169. A.D. 155; A.D. 155, am'd. permit coverage of certain non-jury civ. proceedings. A.D. 93 allows judge to authorize coverage in certain circumstances.	A.D. 93(C)(2) req's consent of parties & witnesses.				Press releases/announcements Latest News and Updates appear on the judicial branch's home page.

[9] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[10]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
DC	D.C. Code Ann. Photography, Video & Audio Recording Prohibited. Prohibition includes cell phones, personal assistant devices, palm notepads w/features enabling device to take photographs or make recordings. R.Cr.P. 53(b)(1) prohibits coverage in courtrooms during proceedings; 53(b)(2) excepts photographs taken "in any office or other room of the courthouse [...] with the knowledge and consent of the official or person in charge of such office or room and of the person or persons being photographed." R.C.P. 203(b) forbids photographing, etc., "inside the courthouse in connection with any civil proceeding whether or not the court is in session." R.C.P. 203(b) & R.Cr.P. 53(c) govern release of information by attys.	R.Cr.P.. 53(b)(2) requires consent of "official or person in charge of" room other than courtroom & of person(s) being photographed.			R.Cr.P.. 53(d), Widely Publicized or Sensational Cases, allows court to issue special order governing extrajudicial statements by parties & witnesses, "likely to interfere with the rights of the accused" or right to fair trial by impartial jury. Orders may govern seating, conduct, sequestration, etc. See also R.C.P. 203(d).	Press and public information

[10] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[11]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
FL	Fla. Rule of Jud. Administration 2.450, Technological Coverage of Judicial Proceedings 8th Jud. Circ., A.O. No. 1.991, Media Coverage of Judicial Proceedings (click on Section 1, Judicial Administration, then locate No. 1.991)	According to commentary for R. 2.450, coverage is w/in discretion of presiding judge; "consent of participants to coverage is not required."	R. 2.450(g) prohibits audio pickup of conferences between atty-client, co-counsel, or counsel & bench. Some proceedings confidential by statute. R. 2.450 commentary.	Media & Communications Law Committee Reporter's Handbook. Bar issue papers provide an overview, bar's position, facts, & statistics. Media Organization Registration to be added to bar's distribution list. 11th Circ. media requests. 20th Jud. Circ. Media Coverage of Court Proceedings.	Florida Supreme Court Public Information Pages include current & archived high-profile cases; death warrant filings; & judicial qualification commission cases. A.O. 07-96-19 Governing Special Interest/High Profile Proceedings (click on "Media Center" & select "Media Policies & Procedures") Procedures for Special Interest/High Profile Proceedings A.O. No. 2.014-11/06* (15th Jud. Circ., Palm Beach)	Florida State Courts (click on the "press & media" tab) Public information 5th Jud. Circ. Media Resources (Lake and Citrus Counties) 8th Jud. Circ. news 10th Jud. Circ. News & Photos 11th Circ. news releases 13th Jud. Circ. Media Center—brochures, reports, video archives, etc. 20th Jud. Circ. Media Center: press releases, archive, etc.

[11] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[12]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
FL (cont'd)					High-profile case information (recent & archived) available from the 20th Jud. Circ. Media Center.	
GA	Ga. Supreme Court Rules 75-91 R. 22, Super. Court Rules, Ga. Rules of Court Ann. Juv. Court Rules 3.8, 26.1 & 26.2. Access governed generally by O.C.G.A. §15-11-78. R. 18, Probate Court Rules R. 11, Magistrate Court Rules Requests for coverage evaluated pursuant to O.C.G.A. § 15-1-10.1		Super. Court R. 22(I) forbids pictures, etc., of jury "except where the jury happens to be in the background" & allows audio of foreperson's announcement of verdict. Juv. Court R. 3.8(I) & 26.2(I) forbid pictures of child in juv. proceeding.	Pursuant to Super. Court R. 22, media requests must be made by filing Request to Install Recording and/or Photographing Equipment Pursuant to Rules and Guidelines for Electronic and Photographic News Coverage of Judicial Proceedings (Exhibit A) Juv. court requests must be filed in conformity with JUV-22 or -25. See uniform juv. court forms. Probate requests: Exhibit A.		Communications and Publications department, Administrative Office of the Courts Some news/events are posted to the front of the Georgia Courts page. Supreme Court of Georgia page. Press releases from the supreme court. Court of Appeals of the State of Georgia Media page.

[12] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[13]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
GA (cont'd)				Requests to cover magistrate courts must be made pursuant to App. B1, Request for Electronic and Photographic Media Access to Court Proceedings. Media Request for Coverage of Judicial Proceedings in the Eighth Jud. Circ.		
HI	Rules of the Supreme Court, Haw. Court Rules 5.1, 5.2.	R. 5.1(f)(4) allows party to object to or court to order extended, *sua sponte*, extended coverage.	R. 5.1(f)(5)(i)-(vi) establishes presumption of good cause for closure where proceeding regards admissibility of evidence; trade secrets; child witness; witness for prosecution in sex offense case; witness who would be put in substantial jeopardy of serious bodily injury; undercover law enforcement. R. 5.1(g)(1)-(4) forbid coverage of proceedings closed to public by law; jurors & prospective jurors; atty-client, co-counsel, or bench conferences; in camera proceedings.	Media Guidelines for Cameras and Audio Equipment in the Courtroom		News and Reports

[13] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[14]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
ID	Idaho Court Admin. Rules 45 & 46		R. 45(c)(1)-(3) prohibits coverage of atty-client, co-counsel, & bench conferences; in camera proceedings or judicial deliberations; or proceedings closed to public, including those involving mental health, child protection, adoption, termination of parental rights, grand jury, & issuance of warrants. "It is expected the presiding judge will exercise particular sensitivity to victims of crime" R. 45(d). Photographing, etc., of juror or prospective juror, including during selection, prohibited by R. 45(h)(1).	*Internet Guide to the Idaho Courts* (pdf) (htm), updated July 2005. Hard copy, last pub'd Nov. 2000, is entitled *Media Guide to the Idaho Courts*.	The Internet Guide to the Idaho Courts includes a section on "High-Interest Proceedings."	
IL	Ill. S.Ct. CJC Canon R. 63(A)(7) allows photographs, etc., to extent authorized by supreme court order. 735 ILCS 5/Art. VIII Pt. 7, Sec. 8-701, Broadcast or Televised Testimony	MR No. 2634(C)(7) does not req. consent for extended coverage of App. arguments, but allows chief justice, presiding judge, or chair of executive committee of First Dist. of App. Ct. to prohibit coverage.	MR No. 2634(C)(8) prohibits coverage of conferences among members of supreme or App. court, or among counsel & client(s). MR No. 2634 does not permit broadcasting, etc., in Circ. courts.			Press releases Cook Co. Circ. Court press releases 19th Jud. Circ. Court (Lake & McHenry Counties) press releases

[14] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[15]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
IL (cont'd)	MR No. 2634, In re: Photographing, Broadcasting, and Televising Proceedings in the Courts of Illinois (Mar. 13, 1987; Jan. 22, 1986; Nov. 29, 1983); applies to court of last resort & intermediate app. courts. 18th Jud. Circ. R. 1.30, Photographing, Recording, Broadcasting, or Televising in or Near Courtrooms. 19th Jud. Circ. R. 21.01, Photography, Radio, Television, Audio Recording Devices and Cellular Telephones. R. 21.01(c) allows photographs, etc., of "non-judicial events and activities" such as weddings, mock trials, ceremonies, speeches, etc.	735 ILCS 5/Art. VIII Pt. 7, Sec. 8-701, forbids compelling witness testimony in any tribunal "if any portion" will be broadcast, etc.				
IN	Cameras allowed in all supreme court oral arguments. Court of appeals allows cameras on case-by-case basis.	Coverage of trial courts in pilot project req's written consent of trial judges & parties involved. 94S00-0605-MS-166(1).	For trial courts, cameras not allowed except for pilot project courts (Allen Super. Court, Ft. Wayne; Warrick Super. Court, Boonville; Delaware Circ. Court, Muncie; Marion Super. Court, Indianapolis;	Supreme Court Media Guidelines.		Press releases

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State	Legal authority	Consent	Prohibitions[16]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
IN (cont'd)	For trial court coverage, see Order No. 94S00-0605-MS-166, In re Pilot Project for Electronic News Coverage in Indiana Trial Courts. Prohibitions contained in Code of Jud. Conduct Canon 3B(12).	Judge has discretion to allow post-verdict audio & video of juror interviews or press conferences w/juror(s)' consent. 94S00-0605-MS-166(4)(g).	Montgomery Circ. Court, Crawfordsville; St. Joseph Circ. Court, South Bend; Vanderburgh Super. Court, Evansville).[17] No coverage of pilots where proceedings not open to public by state statute or Indiana Supreme Court rules. 94S00-0605-MS-166(3) No coverage of informants; undercover agents; minors; victims of sex abuse, assault, or other sex-related offense; jurors; witnesses at sentencing hearings in pilots. 94S00-0605-MS-166(4)(a)-(f). No audio of communications between atty-client, co-counsel, or bench conferences. 94S00-0605-MS-166(4)(a)-(c).			
IA	Ch. 25, Rules for Expanded Media Coverage, governs coverage of all court proceedings w/cameras. 25.5, Rules specific to supreme court.	Judge may refuse request for coverage of witness upon objection & showing of good cause by witness; coverage of sex offense victim/witness must consent; objection by	Expanded coverage of any court required by law to be private prohibited. No coverage of juv., dissolution, adoption, custody, or trade secret unless all parties (including parent or guardian of minor) consent on record. 25.2(4).	Iowa Jud. Branch. Reporter's Guide to the Iowa Courts System. Des Moines: Jud. Branch, December, 2006.		News releases Media contacts Registration for notices available via e-mail.

[16] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.
[17] "Supreme Court Authorizes News Cameras in Trial Courts." Press release, May 9, 2006.

State	Legal authority	Consent	Prohibitions[18]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
IA (cont'd)		victim/witness in forcible felony & by informants, undercover agents, & relocated witnesses enjoy rebuttable presumption. 25.2(3) See also 25.2(4) regarding consent of parties in certain actions.	Coverage of jury selection & "unnecessary or prolonged photographic or video coverage of individual jurors" prohibited by 25.2(5). No audio pickup or broadcast of conferences between atty-client, co-counsel, & bench. 25.2(6).	Media Coverage of the Iowa Court System provides information about access to court records. Submit requests (25.10-Form 1) to media coordinator (links to statewide directory).		
KS	Kan. Supreme Court R. 1001 Juv. being prosecuted as adult pursuant to K.S.A. 38-1636 may be recorded &/or photographed.	R. 1001(7) requires trial judge to prohibit recording &/or photographing participant in proceeding if participant who is victim of or witness to crime, informant, undercover agent, relocated witness, or juv. so requests.	R. 1001(3) prohibits audio pickup/recording (but not photographs) of conferences between atty-client, co-counsel, attys-judge. R. 1001(4) forbids focusing on & photographing materials on counsel tables. R. 1001(5) prohibits photographing individual jurors; except where jurors in background, but close-ups prohibited. R. 1001(7) prohibits coverage of evidentiary suppression hearing, divorce, or case involving trade secrets.			Kansas Jud. Branch news releases.

[18] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[19]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
KY	KY Stats., Code of Prof. Resp., Standards of Conduct and Technology Governing Electronic Media and Still Photography Coverage of Judicial Proceedings.		No audio pickup or broadcast of atty-client conferences, co-counsel conferences, or atty-bench conferences. Code of Prof. Resp. 6, KY ST CPR 6.	Reporters Handbook on Covering Kentucky Courts.		Press releases
LA	Canon 3A(7), La. Code of Jud. Conduct & Appendix.	Consent to extended media coverage not req'd, but parties may file written objection. Upon objection or *sua sponte*, court may prohibit or limit coverage. App. to Canon 3A, part III.A.	No extended coverage of proceedings which by law must remain private. App. to Canon 3A, part III.C. No recording, etc., of conference between attys & clients, co-counsel, counsel & bench, or in camera proceedings. App. to Canon 3A, part XV.	See summary of rule in "Policy for Media."		Press releases
ME	A.O. JB-05-15, Cameras and Audio Recording in the Courts, eff. August 1, 2005.	Those with "visually or audibly detectable" physical or mental disabilities; alleged victims of crim. conduct; or persons appearing at sentencing hearing on behalf of victim or defendant may elect to be excluded from coverage. A.O. JB-05-15(C)(2)(a)-(c).	Proceedings excluded from coverage include those for divorce, annulment, support, protection from dom. abuse; care, custody, protection, adoption, paternity, or other issue involving minor; sexual assault or misconduct; disclosure of trade secrets; proceedings closed by statute, rule, or order. A.O. JB-05-15(B)(1)(a)-(e) & 15(B)(2).			News and announcements Press releases

[19] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[20]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
ME (cont'd)			No coverage of jury, alternates, or prospective jurors; no coverage of those under 18 except if bound over to Super. court for crim. proceedings as an adult. A.O. JB-05-15(C). No coverage of conferences (bench, sidebar, in-chambers, atty-client, etc.), jury selection, proceedings outside presence of jury, or activity outside courtroom. A.O. JB-05-15(D)(1)-(4).			
MD	MD Ann. Code, Crim. Procedure/Title 1, Definitions; General Provisions/Subtitle 2. General Provisions/§ 1-201, Recording or Broadcasting Criminal Proceedings. Coverage permitted only in civ. proceedings. MD Rules, R. 16-109 applies to circ. & dist. courts.	In trial courts, written consent on record req'd of all parties, except party which is a federal, state, or local gov't, or individual sued or suing in official gov't capacity. R. 16-109(d)(1). No consent req'd at App. level, but any party may move at any time to terminate or limit coverage. Coverage of victim/witness "shall be terminated or limited" upon objection. R. 16-109(e)(1).	Code Crim. Proc. §1-201(a)(1)(2) forbids recording, etc., of "any crim. matter, including a trial, hearing, motion, or argument, that is held in trial court or before a grand jury." Coverage of proceedings held in chambers, proceedings closed to public, jury selection, jurors, spectators, & audio of conferences (atty-client, bench, etc.) prohibited.	Sue Kopen Katcef & Robert D. Anbinder, The Journalist's Guide to Maryland's Legal System. 2nd ed., 2003. Cameras in the Courtroom: Rules and Guidelines for Their Use. October 1, 2001.		Media Resource Center Court Information Office Press releases/news

[20] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[21]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
MA	Mass. Supreme Jud. Court R. 1:19.	Party may move to prevent coverage; must deliver notice to media representative. R. 1:19(h).	No coverage of hearings of motions to suppress; probable cause; voir dire; close-ups of bench or atty-client conferences; close-ups of jurors. R. 1:19(b)(c).	Guidelines on the Public's Right of Access to Judicial Proceedings and Records.		Press releases Judiciary/Media Committee Response Team
MI	A.O. 1989-1. Film or Electronic Media Coverage of Court Proceedings		Judge has discretion to limit coverage of certain witnesses; no coverage of jurors or selection process. A.O. No. 1989-1(2)(b)(c). No audio pickup, close-ups, etc., of conferences between atty-client, co-counsel, bench, or judges. A.O. No. 1989-1(7).			Public Information Office Press & Media page (click on "Press & Media" tab)
MN	Minn. Code of Jud. Conduct Canon 3A(11) R. 4, General Rules of Practice for the Dist. Courts, Pictures and Voice Recordings.	Parties & witnesses must consent. Canon 3A(11)(c)(ii).		Procedures for Requesting Cameras in Minnesota Courtrooms	High Profile Cases	Minnesota Court Information Office Media Resource Center
MS	Rules for Electronic and Photographic Coverage of Judicial Proceedings (MREPC) Canon 3B(12). Code of Jud. Conduct of Miss. Judges	Any party may object to coverage via written motion. MREPC R. 7; Canon 3B(12)(c)(ii)	No coverage of proceedings involving divorce, custody, support, guardianship, conservatorship, commitment, waiver of parental consent to abortion, adoption, delinquency & neglect, paternity,	Mississippi Associated Press Broadcasters Association. **"Cameras in the Courtroom."**		News

[21] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[22]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
MS (cont'd)	R. 1.04, Uniform Rules of Circ. and Co. Courts, Miss. Rules of Court. *Gannett River States Pub. Co. v. Hand*, 571 So.2d 941 (Miss. 1990) *In re Memphis Publishing Company*, 823 So.2d 1150 (Miss. 2001). Miss. Const., Art. 3, Sec. 26.		termination of parental rights, dom. abuse, trade secrets, or in camera proceedings. MREPC R. 3(c). No coverage of witnesses, informants, minors, undercover agents, relocated witnesses, victims of sex crimes, families of sex crimes victims, dom. abuse victims. MREPC R. 3(d). No coverage of jury, potential members of jury, or selection. MREPC R. 4(b). Some proceedings closed by statute; certain divorce (Miss. Code Ann. § 93-5—21); waiver of parental consent to abortion (Miss. Code Ann. § 41-41-55); proceedings raising sexual conduct of complaining witness in rape case (Miss. Code Ann. § 97-3-68); Youth Court proceedings (Miss. Code Ann. § 43-21-203).	Proceedings of panel discussion (June 28, 2003); Media and the Courts Study Committee. Public Access to Mississippi Trial Courts: **Report of Media and the Courts Study Committee**. Jackson, MS: Committee, December 18, 2002.		
MO	Admin. R. 16, Mo. Supreme Court Rules	No coverage where victim, informant, undercover agent, relocated witness, or juv., so requests. R. 16.03(c).	Coverage of proceedings req'd to be held in private prohibited; no coverage for juv., adoption, dom. relations, custody, but media may cover juv.	Beth S. Riggert, **A Guide to Missouri's Court Operating Rule 16**. Jefferson City: Supreme Court of Missouri, June 2003.		Communications Counsel Media Coordinator Directory Newsroom

[22] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[23]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
MO (cont'd)			prosecuted as an adult. R. 16.02(c). No coverage of prospective jurors, jurors, or selection. R. 16.02(d) No audio pickup, etc., of conferences; no focusing on materials on counsel tables. R. 16.02(e)(f). No coverage in crim. proceedings until defendant is represented by counsel or waived representation. R. 16.02(m). No coverage where victim, informant, undercover agent, relocated witness, or juv., so requests. R. 16.03(c).			
MT	Mont. Canons of Jud. Ethics, Canon 35, Improper Publicizing of Court Proceedings.			Canon 35 includes illustrative guidelines.		Judicial News and Updates
NE	Rules and Practices in the Supreme Court and Court of Appeals, R. 17, Media Coverage of Proceedings before the Nebraska Supreme Court and the Nebraska Court of Appeals.	Party may file written objection. R. 17(D).	No audio pickup, etc., of conferences. R. 17(B)(1).	Nebraska Bar-Press Guidelines for Disclosure of Information Relating to Imminent or Pending Criminal Litigation		For the Press

[23] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[24]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
NE (cont'd)	R. 18, Media Coverage of Proceedings before Any Court other than the Nebraska Supreme Court or the Nebraska Court of Appeals.			Nebraska State Bar, Nebraska Broadcasters Association, and Nebraska Press Association. **Reporters' Guide to Media Law and Nebraska Courts**. Lincoln, NE: Associations, 2005.		
NV	Nevada Supreme Court Rules, Part IV, Rules 229-247, Rules on Cameras and Electronic Media Coverage in the Courts.	Consent of participants not req'd; judge may prohibit coverage of party who does not wish to be photographed, etc. R. 240(1). Jurors, parties, & witnesses may not give consent for consideration. R. 240(2).	No deliberate photographing, etc., of jurors. R. 238(2). No coverage of proceedings not open to public, or of any conferences between attys, clients, & bench. R. 239.		High profile cases	Court news & press releases. News archive
NH	N.H. Supreme Court R. 19, Media Access to Court Proceedings. N.H. Super. Ct. R. 78, Photographing, Recording and Broadcasting.	Once media files request it is either denied or judge notifies all interested persons that request has been filed, provide deadlines for filing written objections, & set hearing date.				Judicial Branch Communications Office Press releases Speakers bureau Events & programs

[24] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[25]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
NH (cont'd)	N.H. Dist. Mun. Ct. R. 1.4, Regulation of Conduct in the Courtroom. *Petition of WMUR Channel 9*, 148 N.H. 644 (2002).	Super. Ct. R. 78(c); Dist. Mun. Ct. R. 1.4(c).				
NJ	Code of Jud. Conduct Canon 3A(9) Supreme Court Guidelines for Still and Television Camera and Audio Coverage of Proceedings in the Courts of New Jersey (approved Oct. 2003).	Consent not req'd. Guideline 1(d).	No coverage of atty-client, co-counsel, or bench conferences. Guideline 1(e). No coverage of jurors. Guideline 1(g). Coverage prohibited in proceedings involving trade secrets, juves., termination of parental rights, child abuse & neglect, custody, dom. violence, charges of sex crimes where victim is alive (judge may deny permission if victim is deceased based on consideration for survivors or other concerns). Guideline 2(c)(1). Coverage of testimony of crime victims under age 18 at time of trial & of witnesses under 14 at time of trial allowed at discretion of judge. Guideline 2(c)(2).	Supreme Court Guidelines for Still and Television Camera and Audio Coverage of Proceedings in the Courts of New Jersey (approved Oct. 2003).		Press releases Supreme and App. court opinions expected for release Legislative news Mass Tort Information Center

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State	Legal authority	Consent	Prohibitions[26]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
NJ (cont'd)			Coverage of juvenile defendants 17 years of age charged w/motor vehicle violations permissible. Guideline 2(c)(3).			
NM	N.M. Supreme Court R. 23-107, Broadcasting, Televising, Photographing and Recording of Court Proceedings; Guidelines.	Any party may request or object to cameras. R. 23-107(G)(2).	No coverage of certain witnesses (at judge's discretion), jury or selection, tender of evidence offered for purpose of determining admissibility; of conferences between members of court, counsel, co-counsel, client. R. 23-107(A)(1)-(6).			News releases appear on the front of the Bernalillo Co. Metro Court page. News release archives
NY	22 NYCRR §§ 29.01-29.04 NY CLS Standards & Admin. Policies §§ 131.01-131.13, Audio-visual Coverage of Judicial Proceedings. *Courtroom Tel. Network. LLC v. New York*	Determination of application depends in part on consultation w/counsel to all parties; consent of parties, witnesses, & victims req'd. §§ 131.04(a)(2), (b)(1). Counsel shall advise nonparty witnesses of right to request image to be visually obscured during testimony. 131.04(b)(3) No coverage of conferences between atty-client, co-counsel, bench, w/o consent; 131.08(a).	No coverage of conferences between atty-client, co-counsel, bench, w/o consent; no coverage of conference in chambers; no coverage of jury selection, jury, alternates; undercover law enforcement; victim of sex offense; where judge finds that coverage "is liable to endanger the safety of any person;" judicial proceedings closed by public by law; arraignment or suppression hearings; family member of victim in crim. case, except while testifying. 131.08(a)-(k).	Application for Audiovisual Coverage of a Court Proceeding (pdf)	§ 131.03, Application for audio-visual coverage.	Press Center

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State	Legal authority	Consent	Prohibitions[27]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
NY (cont'd)		Consent of foreperson req'd for audio coverage of verdict. 131.08(d).				
NC	General Rules of Practice for the Super. and Dist. Courts of N.C., N.C. Rule of Court 15.		R. 15(b)(2) prohibits coverage of proceedings involving adoption, juves., those held before clerks of court, divorce, alimony, motions to suppress, trade secrets, & in camera proceedings. R. 15(b)(3) prohibits coverage of witnesses who are informants, undercover agents, relocated witnesses, or victims or families of victims of sex crimes. Coverage of jurors at any stage of proceeding, including selection, prohibited by R. 15 (b)(4). No audio pickup, etc., of conferences between atty-client, co-counsel, adverse counsel, or counsel & bench. R. 15(h).			Supreme court announcements AOC news
ND	N. D. Supreme Court - Administrative Rules, R. 21, Electronic and Photographic Media Coverage of Court Proceedings.	Judge may deny request for coverage where witness or party objects & shows good cause. Admin. R. 21 §4(b)(2).	Coverage must be denied where it would include testimony of juv. victim/witness in proceeding in which illegal sexual activity is	Media representative may make single request to cover all proceedings in a case. R. 21 §5(c).		News Notices Webcasts (live and recorded)

[27] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[28]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
ND (cont'd)	N. D. Rules of Court R. 10.1(d), Cameras, Sound Apparatus, and Wireless Communication Devices Prohibited. R. 53, NDCrimP Canon 3, Code of Jud. Conduct	Adult victim or witness in prosecution under Ch. 12.1-20, N.D.C.C., must consent. Admin. R. 21 §4(b)(3). Written objections filed pursuant to R. 21 §6.	an element of the evidence; undercover agents; relocated witnesses. R. 21 §4(b)((4)(5). No coverage of proceedings held in chambers, closed to public, jury selection, atty-client & other conferences. R. 21 §4(d). No grant of request where crim. defendant unrepresented by counsel. R. 21 §5(c).			
OH	Rules of Superintendence for the Courts of Ohio R. 11, Recording of Proceedings; R. 12, Conditions for Broadcasting and Photographing Court Proceedings Cuyahoga Co. Court of Common Pleas, General Division, Loc.R. 37, Media. Franklin Co. Court of Common Pleas, General Division, Loc.R. 101, Broadcasting, Televising, and Recording Court Proceedings.	Judge must inform victims & witnesses of right to object to coverage. R. 12(C)(2).	No audio pickup, etc., of conferences between attys-clients, co-counsel, or bench-counsel. R. 12(C)(1).	Guidelines for News Organizations Broadcasting, Televising, Recording and Photographing Sessions of Court (eff. October 1, 2004).		Office of Public Information News releases Streaming video of oral arguments & special court events.

[28] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[29]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
OH (cont'd)	Franklin Co. Dom. Relations Division, Loc.R. 14, Broadcasting, Televising, Recording and Photographing by News Media. F.C.J..R. 9, Broadcasting, Television, Recording and Photographing by News Media. Hamilton Co. Court of Common Pleas, Loc.R. 30, Media Coverage of Court Proceedings. Lucas Co. Court of Common Pleas, General Division, Loc.R. 9.01, Media. Lucas Co., Dom. Relations Division, Loc.R. 26, Photographing, Recording, and Broadcasting of Court Proceedings.					

[29] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[30]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
OH (cont'd)	Montgomery Co. Court of Common Pleas Dom. Relations Division, Loc. R. 4.57, Photographing, Recording, and Broadcasting of Court Proceedings; R. 4.58, Use of Electronic or Photographic Equipment in the Courtroom. M.C.J.C., R. 5.4, Photographing, Recording, and Broadcasting of Court Proceedings. Montgomery Co. Court of Common Pleas Probate Division, Loc. R. 12.1, Conditions for Broadcasting and Photographing Court Proceedings. Summit Co. Court of Common Pleas, General Division. Loc.R. 14, Electronic or Photographic Equipment					
OK	Title 5, Okla. Stats., Ch. 1, Appendix 4, Canon 3B(10).	No witness or party who expresses objection to the judge shall be photographed, broadcast, telecast. Canon 3B(10)(d).	No coverage of proceedings req'd by law to be private; crim. proceedings before issues submitted to jury for determination (w/o consent), Canon 3B(10)(e)(1)(2).			

[30] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[31]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
OK (cont'd)		Affirmative consent on record req'd for accused persons on trial in crim. proceedings before issues submitted to jury. Canon 3B(e)(2). No consideration offered or accepted in exchange for consent. Canon 3B(f).				
OR	Or.R.A.P. 8.35, Media Coverage of App. Court Proceedings. Or.UTCR 3.180, Media or Other Public Access Coverage of Court Events. Most districts have supplementary local rule (usu. numbered 3.181).	Victim of sex offense may request that coverage be prohibited. UTCR 3.180(2)(d).	UTCR 3.180 (2)(a)-(g) bars coverage of proceedings in chambers; notes or conversations intended to be private, including those between counsel & judges or counsel & clients; dissolution; juv.; paternity; adoption; custody; visitation; support; commitment; trade secrets; abuse; restraining & stalking order proceedings; sex offenses (at victim's request); voir dire; jurors; recesses.			News about Oregon courts Supreme court media contact Court of appeals media contact
PA	Code of Jud. Conduct Canon 3A(7) req's judge to bar most coverage. P.R.Cr.P. 112(A), Publicity, Broadcasting, and Recording of Proceedings, bars coverage.	Canon 3A(7)(c)(ii) req's consent from parties & witnesses in appropriate cases. Witnesses or parties who express objection to judge may not be photographed, etc. Canon 3A(7)(d).				Press releases News & updates

[31] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[32]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
PA (cont'd)	P.R.C.P. 223, Conduct of the Trial, Generally. Official note cites Canon 3A(7) of the Code of Jud. Conduct. Rules of Conduct, Offices Standards and Civ. Procedure for Dist. Justices R. 7, Broadcasting, Televising, Recording, Photography, bars coverage.					
RI	Art. VII, R.I. Supreme Court Rules, Media Coverage of Jud. Proceedings. R.I. Super. Court R.Cr.P. 53, Regulation of Conduct in the Courtroom.		Coverage of hearings which take place outside presence of jury prohibited by Art. VII, Canon 3(b). Coverage of proceedings involving juves., adoption, "or any other matters in the Family Court in which juves. are significant participants" prohibited by Art. VII, Canon 3.	Media Guide for Reporters		"Of Current Interest" announcements from the court.
SC	South Carolina App. Court Rules, South Carolina Rules of Court R. 605.		No coverage of proceedings closed to public; no audio, etc., of conferences between atty-client, co-counsel, adverse counsel, counsel-judge; jury, including selection. R. 605(f)(i)(ii)(iii).			"What's New" South Carolina Judicial Department news & announcements.

[32] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[33]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
SD	S.D. Code of Jud. Conduct Canon 3B(12) (based on ABA Model Code) S.D. Codified Laws, § 15-24-5 through -13.	Parties & counsel must consent to variance in timing of application (i.e., <10 days in advance of proceeding). 15-24-6(j).	No recording, etc., of conferences between attys-clients, co-counsel, or justices; in-chambers conferences; materials on counsel or law clerk tables or bench. 15-24-6(d)-(f).			The "Check out What's in the News" column to the right contains court news.
TN	Rules of the Tenn. Supreme Court R. 30	Objection by witness suspends coverage as to that person; objection by accused in crim. case or any party to civ. action suspends coverage of entire proceeding. R. 30(C)(5).	No coverage of witness, party, or victim who is a minor; jury selection or jurors; proceedings otherwise closed to the public; juv. court proceedings; or conferences of counsel. R. 30(C)(1)-(6).	Tennessee Supreme Court and First Amendment Center. **Media Guide to Tennessee's Legal System**. Nashville: May 2005. Journalist Guide to the Federal Courts.	Capital case information & filings	AOC Press Kit
TX	T.R.C.P.. 18c T.R.A.P.. 14 Approved local rules covering media & camera provisions exist in Bexar, Dallas, Galveston, Harris, & other counties pursuant to TRCP 18c & 3a.	Provisions of Brazos Co. order *In re: Media Access* include coverage w/ & w/o consent of parties & witnesses.	Section IV of Brazos Co. order *In re: Media Access* prohibits audio coverage & close-up video of atty/client conferences, visual coverage of potential jurors & jurors, victims of sexual offenses, & anyone (witness, party, or other participant) under age 18.			News and updates

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State	Legal authority	Consent	Prohibitions[34]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
TX (cont'd)	*In re: Media Access to Courtroom Proceedings; Standing Order and Guidelines for Photographing, Recording and Broadcasting Courtroom Proceedings*, 361st Jud. Dist., Brazos Co.					
UT	Utah Code of Jud. Administration R. 4-401		Generally no photography in juv. courts. Media recording of proceedings not allowed in juv. or trial courts.	Utah State Courts Media Guidelines		Online Media Resource Center: press releases; policies; reports; statistics; photo, transcript, & video requests; info about access to juv. courts; events; press kits.
VT	Vermont Rules V.R.A.P. 35, Recording Court Proceedings. V.R.Cr.P. 53, Recording Court Proceedings. V.R.C.P. 79.2, Recording of Court Proceedings. V.R.P.P. 79.2, Recording Court Proceedings.	Presiding judge, judge's own motion, or motion of party or request of witness may prohibit or limit coverage. V.R.P.P. 79.2(a); V.R.C.P. 79.2(b)(1); V.R.Cr.P53(b)(1).	No recording, etc., of conferences between members of the court, co-counsel, or atty-client. V.R.A.P. 35(b); V.R.P.P. 79.2(c); V.R.C.P. 79.2(c); V.R.Cr.P. 53(c). Coverage of proceeding closed by law to public prohibited. V.R.P.P. 79.2(b)(2); V.R.C.P. 79.2(b)(2); V.R.Cr.P.53(b)(2). No coverage of jurors, prospective jurors; some exceptions for jury appearing in background. V.R.P.P. 79.2(d); V.R.C.P. 79.2(d); V.R.Cr.P. 3(d).			Press releases can be found on the Vermont Judiciary home page.

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State	Legal authority	Consent	Prohibitions[35]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
VA	Va. Code Ann. § 19.2-266.	Judge must advise parties in advance of coverage; parties may object. Judge may prohibit coverage for good cause shown. § 19.2-266(A)(1).	No coverage of adoption, juv., custody, divorce, spousal support, sex offenses, motions to suppress, trade secrets, & in camera proceedings. § 19.2-266(A)(2). Coverage of witnesses who are informants, minors, undercover agents, victims of sex offenses, & families of sex offense victims prohibited. § 19.2-266(A)(3). Coverage of jurors prohibited at any stage of proceeding, including selection. At the beginning of selection, judge must inform potential jurors about the prohibition. § 19.2-266(A)(4). Coverage of atty-client, co-counsel, adverse counsel, & bench or chambers conferences prohibited. § 19.2-266(A)(5).			Guidelines on Release of Information to the News Media Judicial Council of Virginia Public Information Goals and Objectives
WA	Wash. G.R. 16, Courtroom Photography and Recording by the News Media. See "Illustrative Broadcast Guidelines" in comment.			Public Trust and Confidence Committee. **Media Guide to Washington State Courts**. Olympia: Committee, 2006. Bench-Bar-Press Committee (BBP)		News: press releases; public access information; reports, studies, & other resources.

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State	Legal authority	Consent	Prohibitions[36]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
WA (cont'd)				provides guidance to trial court judges. Its Fire Brigade Liaison mediates disputes between media & judiciary. BBP reports from 2006 & 2005.		
WV	W. Va. Supreme Court Rules 1.01-1.08, Media Coverage of Courtroom Proceedings in the Supreme Court of Appeals W. Va. Trial Court R. 8, Cameras, Audio Equipment, and Media in the Courtroom W. Va. Code of Jud. Conduct Canon 3B(12) Rules Governing Camera Coverage of Courtroom Proceedings, W. Va. Code Ann.	Supreme Court R. 1.05 & W. Va. Trial Court R. 8.05 req. consent by participants to coverage of "any nonjudicial meeting or other gathering in the courtrooms." W. Va. Trial Court R. 8.10 prohibits broadcast, etc., "where the face of a juror is shown or the identity of any juror is stated or is otherwise discernable" w/o prior approval by presiding officer.	W. Va. Trial Court R. 8.10 prohibits broadcast, etc., "where the face of a juror is shown or the identity of any juror is stated or is otherwise discernable" w/o prior approval by presiding officer.	Supreme Court R. 1.02, Procedure to obtain permission. For permission in trial courts, see W. Va. Trial Court R. 8.02, Procedure to obtain permission.		Public Information & Press Releases: press releases; contact info; newsworthy cases; rules; publications; supreme court calendar & docket.
WI	SCR Ch. 61, Rules Governing Electronic Media and Still Photography Coverage of Judicial Proceedings.	On judge's own motion or at request of participant, judge may for cause prohibit coverage. Where case involves crime	Audio pickup, etc., of conferences between atty-client, co-counsel, atty-judge, not permitted. SCR 61.07.	State Bar of Wisconsin, Media-Law Relations Committee, et al.		See the "In the News" section of the Wisconsin Court System page. One can also find headlines; The Third Branch (court newsletter) & media information.

[36] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

State	Legal authority	Consent	Prohibitions[37]	Handbooks, guidelines, applications, & forms	Notorious cases	Press info
WI (cont'd)	Dane Co. Circ. Court R. 101, Cameras in the Courtroom	victims, informants, undercover agents, relocated witnesses, & juves., & in suppression hearings, "a presumption of validity attends the requests; the trial judge shall exercise broad discretion in deciding whether there is cause for prohibition." SCR 6.11(1). Individual jurors must consent. SCR 6.11(2).	Individual jurors may not be photographed, etc., w/o their consent. SCR 6.11(2).	**Wisconsin News Reporters' Legal Handbook**. Madison, WI: Media-Law Relations Committee; Wisconsin Broadcasters Association; Wisconsin Newspaper Association, January 2005.		
WY	Uniform Rules of the Dist. Courts of the State of Wyo. R. 804, Media Access, states that the provisions set forth by W.R.Cr.P. 53 are available in civ. cases governed by W.R.C.P. W.R.Cr.P. 53.	On judge's own motion or upon request of participant, judge may prohibit coverage. If requesting party is crime victim, informant, or undercover agent, & in suppression hearings, "a presumption of validity attends such requests" & judge "shall exercise broad discretion" when deciding cause for prohibition. W.R.Cr.P. 53(9).	No broadcast, etc., of conferences between atty-client, counsel, or counsel & judge. W.R.Cr.P. 53(6). No close-up of jurors. W.R.Cr.P. 53(7).	Application for coverage covered by W.R.Cr.P. 53(1).	Media coordinator may be appointed by presiding judge "in a trial of major importance." W.R.Cr.P. 53(2).	Events & news listed on judicial branch home page.

[37] The judge has discretion to bar coverage on the grounds that such coverage would be unduly distracting, detracting from the dignity of proceedings, etc.; specific prohibitions are listed herein.

Appendix: History of experimental/permanent rules

STATE	EFFECTIVE DATE	COURT LEVEL	DIVISION
AL	Permanent – 2/1/76	Trial & App.	Civ. & crim.*
AK	Permanent – 1/15/90	Trial & App.	Civ. & crim.
AZ	Permanent – 9/1/93	Trial & App.	Civ. & crim.
AR**	Permanent – 7/5/93	Trial & App.	Civ. & crim.
CA	Permanent – 7/1/84	Trial & App.	Civ. & crim.
CO	Permanent – 2/27/56	Trial & App.	Civ. & crim.
CT	Experimental – 1982 Permanent – 10/1/84	Trial & App.	Civ. & crim.
DE	Experimental – 5/1/82 Extended indefinitely	Supreme court	Civ.
FL	Experimental – 7/5/77 Permanent – 5/1/79	Trial & App.	Civ. & crim
GA	Permanent – 5/12/77	Trial & App.	Civ. & crim.
HI	Experimental – 1/1/84 Permanent – 12/7/87	Trial & App.	Civ. & crim.
ID	Experimental – 12/4/78 Permanent – 8/27/79	Supreme ct in Boise	
	Experimental – 10/9/79 Permanent – 10/1/80	Supreme ct on circ.	
	Experimental – 1/4/82 Extended Indefinitely	Court of appeals	Civ. & crim.
	Experimental – 2/15/95 Permanent – 2/15/98	Trial courts	Civ. & crim.

STATE	EFFECTIVE DATE	COURT LEVEL	DIVISION
IL	Experimental – 1/1/84 Permanent – 1/22/85	App.	
IN	Experimental – 9/96 (For about a year)	App.	
IA	Experimental – 1/1/80 Permanent – 1/1/82	Trial & App.	Civ. & crim.
KS**	Experimental – 9/14/81 Permanent – 9/1/88	Trial & App.	Civ. & crim.
KY	Permanent – 7/1/81	Trial & App.	Civ. & crim.
LA****	Permanent – 4/30/85 App		
ME***	Experimental – 4/2/82 Permanent – 8/1/94	Trial	Civ.
MD**	Experimental – 1/1/81 Permanent – 7/1/84	Trial App.	Civ.
MA	Experimental – Permanent –	App.	Civ.
MI	Experimental – 2/1/88 Permanent – 1/13/89	Trial & App.	Civ. & crim.
MN**	Experimental – 1/27/78 Permanent – 4/20/83 Experimental – 4/18/83 Permanent – 1/1/94	App Trial courts	 Civ. & crim.
MS	Permanent – 4/1/01	Supreme court	Civ. & crim.
MO	Experimental – Permanent –	Trial & App.	Civ. & crim.
MT	Experimental – 4/1/78 Permanent – 4/18/80	Trial & App.	Civ. & crim.
MT	Experimental – 4/1/78 Permanent – 4/18/80	Trial & App.	Civ. & crim.

STATE	EFFECTIVE DATE	COURT LEVEL	DIVISION
NV	Experimental – 4/1/80 Permanent – 4/29/88	Trial & App.	Civ. & crim.
NH****	Permanent – 1/1/78 Civ. & crim.	Trial & App.	
NJ	Experimental – 5/1/79 Permanent – 10/8/80 Experimental – 5/1/79 Permanent – 6/9/81 Experimental – 1/3/84	App. Trial Municipal courts Indefinite	
NM	Experimental – 7/1/80 Permanent – 1/1/83	Trial & App.	Civ. & crim.
NY	Permanent – 1/1/81	App.	
NC	Experimental – 10/18/82 Permanent – 7/25/90	Trial & App.	Civ. & crim.
ND	Experimental – Permanent –	Supreme court	Civ. & crim.
OH***	Experimental – 6/1/79 Permanent – 1/1/82	Trial & App.	Civ. & crim.
OK***	Experimental – 1/1/79 Permanent – 2/22/82	Trial & App.	Civ. & crim.
OR**	Experimental – 2/15/89 Permanent – 8/1/92	Trial	Civ. & crim.
PA**	Experimental – 10/1/79 Extended Indefinitely	Trial, non-jury	Civ.
RI	Experimental – 10/1/81 Permanent – 3/8/93	Super. Court Trial & App.	Civ. & crim.
SC	Experimental – 10/1/92 Permanent – 9/21/93	Trial & App.	Civ. & crim.
SD	Experimental – 8/24/78	Supreme court	
TN**	Experimental – 1/1/96-97 Permanent – 12/30/96	Trial & App.	Civ. & crim.

STATE	EFFECTIVE DATE	COURT LEVEL	DIVISION
TX****	Permanent – 1/9/90 Civ. & crim.	Trial & App	
UT**[1]	Experimental – 1/8/88 Permanent – 8/30/91	Supreme court	
VT	Experimental – 7/1/84 Permanent – 3/12/92	Trial & App.	Civ. & crim
VA	Experimental – 7/1/87 Permanent – 7/1/92	Trial & App.	Civ. & crim.
WA	Permanent – 9/20/76 Civ. & crim.	Trial & App.	
WV	Experimental – 1/1/79 Permanent – 5/28/81	Trial & App.	Civ. & crim.
WI	Experimental – 4/1/78 Civ. & crim.	Trial & App.	
WY****	Experimental – 8/14/81 Permanent – 12/27/91	Trial & App.	Civ. & crim.

FEDERAL: On September 13, 1990, the Federal Judicial Conference approved a 3-year experiment allowing cameras in 2 App. courts and 6 district courts, beginning July 1, 1991. The experiment was limited to civil cases & gave judges total discretion to refuse, limit, or stop coverage. The report on the experiment recommended that coverage continue, but the Judicial Conference voted against coverage. In March 1996 the Judicial Conference authorized coverage in Federal Courts of Appeal.

*Consent of accused required in crim. trials
** Consent of some participants required
*** No coverage of individuals who object
**** Subject to approval of the individual court
1 Still photos only in trial courts

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NEW YORK STATE BAR ASSOCIATION

Special Committee on Cameras in the Courtroom

FINAL REPORT TO THE HOUSE OF DELEGATES

March 31, 2001

Approved by the House of Delegates on March 31, 2001

Colorado Code of Judicial Conduct

CANON 1
A JUDGE SHOULD UPHOLD THE INTEGRITY AND INDEPENDENCE OF THE JUDICIARY

An independent and honorable judiciary is indispensable to justice in our society. A judge should participate in establishing, maintaining, and enforcing, and should personally observe high standards of conduct so that the integrity and independence of the judiciary may be preserved. The provisions of this Code should be construed and applied to further that objective.

CANON 2
A JUDGE SHOULD AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY IN ALL THE JUDGE'S ACTIVITIES

A. A judge should respect and comply with the law and should conduct himself or herself at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

B. A judge should not allow family, social, or other relationships to influence the judge's judicial conduct or judgment. A judge should not lend the prestige of his or her office to advance the private interests of others; nor should a judge convey or permit others to convey the impression that they are in a special position to influence him or her. A judge should not testify voluntarily as a character witness.

C. A judge shall not hold membership in any organization that the judge know practices invidious discrimination on the basis of race, gender, religion, or national origin.

CANON 3
A JUDGE SHOULD PERFORM THE DUTIES OF HIS OR HER OFFICE IMPARTIALLY AND DILIGENTLY

The judicial duties of a judge take precedence over all his or her other activities. A judge's judicial duties include all the duties of his or her office prescribed by law. In the performance of these duties, the following standards apply:

A. Adjudicative Responsibilities.

(1) A judge should be faithful to the law and maintain professional competence in it. A judge should be unswayed by partisan interest, public clamor, or fear of criticism.

(2) A judge should maintain order and decorum in proceedings before him or her.

(3) A judge should be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, and others with whom a judge deals in his or her official capacity, and should require similar conduct of lawyers, and of a judge's staff, court officials, and others subject to the judge's direction and control.

(4) A judge should accord to every person who is legally interested in a proceeding, or his or her lawyer, full right to be heard according to law, and, except as authorized by law, neither initiate nor consider ex parte or other communications concerning a pending or impending proceeding. A judge, however, may obtain the advice of a disinterested expert on the law applicable to a proceeding before the judge if the judge gives notice to the parties of the person consulted and the substance of the advice, and affords the parties reasonable opportunity to respond.

(5) A judge should dispose promptly of the business of the court.

(6) A judge should abstain from public comment about a pending or impending proceeding in any court, and should require similar abstention on the part of court personnel subject to the judge's direction and control. This subsection does not prohibit judges from making public statements in the course of their official duties or from explaining for public information the procedures of the court.

(7) A judge may authorize:

(a) The use of electronic or photographic means for the perpetuation of a record, or for purposes of judicial administration;

(b) the broadcasting, televising, recording, or photographing of investitive, ceremonial, or naturalization proceedings.

(8) Judicial Supervision over Expanded Media Coverage of Court Proceedings. A judge may authorize expanded media coverage of court proceedings, in addition to those referred to in section (7) of this Canon, subject to the guidelines set forth below.

(a) Definitions. As used in this section, unless the context otherwise requires:

(I) "Proceeding" means any trial, hearing, or any other matter held in open court that the public is entitled to attend.

(II) "Photograph" and "photography" means all recording or broadcasting of visual images, by means of still photographs, videotape, television broadcasts, motion pictures, or otherwise.

(III) "Expanded media coverage" means any photography or audio recording of proceedings.

(IV) "Judge" means the justice, judge, referee, or other judicial officer presiding over the proceedings. In proceedings with more than one judge presiding, any decision required shall be made by a majority of the judges.

(V) "Media" means any news gathering or reporting agency and the individual persons involved, and includes newspapers, radio, television,

radio and television networks, news services, magazines, trade papers, in-house publications, professional journals, or any other news reporting or news gathering agency whose function it is to inform the public or some segment thereof.

(b) Standards for Authorizing Coverage. In determining whether expanded media coverage should be permitted, a judge shall consider the following factors:

(I) Whether there is a reasonable likelihood that expanded media coverage would interfere with the rights of the parties to a fair trial;

(II) whether there is a reasonable likelihood that expanded media coverage would unduly detract from the solemnity, decorum and dignity of the court; and

(III) whether expanded media coverage would create adverse effects that would be greater than those caused by traditional media coverage.

(c) Limitations on Expanded Media Coverage. Notwithstanding an authorization to conduct expanded media coverage of a proceeding, there shall be no:

(I) Expanded media coverage of pretrial hearings in criminal cases, except advisements and arraignments;

(II) expanded media coverage of jury voir dire;

(III) audio recording or "zoom" closeup photography of bench conferences;

(IV) audio recording or closeup photography of communications between counsel and client or between co-counsel;

(V) expanded media coverage of in camera hearings;

(VI) closeup photography of members of the jury.

(d) Authority to Impose Restrictions on Expanded Media Coverage. A judge may restrict or limit expanded media coverage as may be necessary to preserve the dignity of the court or to protect the parties, witnesses, or jurors. A judge may terminate or suspend expanded media coverage at any time upon making findings of fact that: (1) rules established under this Canon or additional rules imposed by the judge have been violated; or (2) substantial rights of individual participants or rights to a fair trial may be prejudiced by such coverage if it is allowed to continue.

(e) Conditions for Coverage. Expanded media coverage shall be conducted only under the following conditions:

(I) Equipment Limitations.

(aa) Video. Only one person at a time shall be permitted to operate a videotape, television, or motion picture camera. There shall be only one such camera at a time in the courtroom, except that, at the discretion of the judge, the camera operator may have a second camera. The camera operator may use a tripod, but shall not change location while court is in session.

(bb) Audio. The court's audio system shall be used if technically suitable and, in that event, there must be no interference with the court's use of its system. If the court's system is not technically suitable, then the person conducting expanded media coverage may install an audio recording system at his or her own expense upon first obtaining approval of the judge. All microphones and related wiring shall be unobtrusive and shall not interfere with the movement of those in the courtroom.

(cc) Still Cameras. Only one person at a time shall be permitted to operate still cameras, which shall make as little noise as possible. The still photographer may use a tripod, but shall not change location while court is in session.

(dd) Lighting. No movie lights, flash attachments, or sudden lighting changes shall be permitted during a proceeding. No modification or addition of lighting equipment shall be permitted without the permission of the judge.

(ee) Operating Signals. No visible or audible light or signal (tally light) shall be used on any equipment.

(II) Pooling Arrangements. The media shall be solely responsible for designating one media representative to conduct each of the categories of expanded media coverage listed in subsection (I) of this section, and for arranging an open and impartial distribution scheme with a distribution point located outside of the courtroom. If no agreement can be reached on either of these matters, then there shall be no expanded media coverage of the type for which no pooling agreement has been made. Neither judges nor other court personnel shall be called upon to resolve any disputes concerning such pooling arrangements.

(III) Conduct of Media Representatives. Persons conducting expanded media coverage shall conduct themselves in a manner consistent with the

decorum and dignity of the courtroom. The following practices shall apply:

(aa) Equipment employed to provide expanded media coverage shall be positioned and operated so as to minimize any distraction;

(bb) identifying marks, call letters, logos, symbols, and legends shall be concealed on all equipment. Persons operating such equipment shall not wear clothing bearing any such identifying information;

(cc) equipment use to provide expanded media coverage shall not be placed in, or removed from, the courtroom while court is in session. No film, videotape, or lense shall be changed within a courtroom while court is in session.

(f) Procedures. The following procedures shall be followed in obtaining authorization for expanded media coverage:

(I) Request for Expanded Media Coverage. A written request shall be submitted to the judge at least one day before expanded media coverage is requested to begin, unless a longer or shorter time is required or permitted by the judge. Copies of the request shall be given to counsel for each party participating in the proceeding. The request shall include the following:

(aa) The name, number, date, and time of the proceeding;

(bb) the type (audio, video, or still photography) of expanded media coverage requested and a description of the pooling arrangements required by section (e)(II), including the identity of the designated representatives.

(II) Objections. Any party or witness may lodge with the judge a written objection to expanded media coverage of all or a portion of a proceeding.

(III) Judicial Authorization. The judge shall rule on a request or objection within a reasonable time prior to the proceeding or promptly after the request or objection if the proceeding has begun. The ruling shall be made on the record and the reasons therefor set forth briefly.

(IV) The media or any witness may not appeal, or seek review by original proceeding, the granting or denial of expanded media coverage. A party may seek review of a ruling by original proceeding, if otherwise appropriate, or by post-trial appeal.

DISTRICT COURT, COUNTY OF BOULDER, COLORADO Boulder Justice Center 1777 6th Street Boulder, CO 80302	
Plaintiff: THE PEOPLE OF THE STATE OF COLORADO v. **Defendant:** Alexander Midyette	DOCKETED JUDGE 6 7/30
Andrew M. Low, #11393 Rudy E. Verner, #34286 DAVIS GRAHAM & STUBBS LLP 1550 Seventeenth Street, Suite 500 Denver, CO 80202 Telephone: (303) 892-9400 Facsimile: (303) 893-1379 E-mail: rudy.verner@dgslaw.com	▲ **COURT USE ONLY** ▲ Case No.: 07CR918 Division: 6

REQUEST FOR EXPANDED MEDIA COVERAGE FOR ARRAIGNMENT

Television station KUSA-TV, on behalf of itself and the Denver Media Group, pursuant to Canon 3A(8) of the Colorado Code of Judicial Conduct relating to judicial supervision over expanded media coverage of court proceedings, requests that expanded media coverage ("EMC") be permitted for the arraignment in this case on July 30, 2007, at 8:15 a.m.

People v. Wieghard, 727 P.2d 383, 386 (Colo. App. 1986), *cert. denied*, states: "the trial court held that the presumption was in favor of open coverage and that a party opposing such coverage would have the burden of proving adverse effects therefrom. . . . We find no abuse of discretion by the trial court here. . . . The mere presence of a camera in the courtroom does not in itself deny a defendant due process. *Chandler v. Florida*, 449 U.S. 560 (1981)." *And see* Anderson, *Time To Open The Electronic Eye*, ABA Jrnl. at 8 (June 1999).

This EMC request is for coverage by one television camera with a distribution point located outside of the courtroom. Petitioner will comply with all the conditions of Canon 3A(8)(e).

Counsel will not be appearing on the behalf of KUSA-TV. However, if at the time of the hearing the Court desires to discuss any of the legal requirements with counsel, it may contact Andrew Low or Rudy Verner at (303) 892-9400.

Dated: July 16, 2007.

DAVIS GRAHAM & STUBBS LLP

By: _____
Rudy E. Verner, No. 34286

ATTORNEYS FOR KUSA-TV

CERTIFICATE OF SERVICE

I hereby certify that on July 16, 2007, a true and correct copy of the foregoing **REQUEST FOR EXPANDED MEDIA COVERAGE FOR ARRAIGNMENT** was served by facsimile addressed to the following:

District Attorney:

Kenneth E. Kupfner, Esq.
Boulder District Attorney's Office
Boulder Justice Center
1777 6th Street
Boulder, CO 80302
Ph: 303-441-3700
Fax: 303-441-4703

Defendant's Counsel:

Paul McCormick, Esq.
McCormick & Christoph PC
1406 Pearl St. Suite 200
Boulder, CO 80302
Ph: 303-433-2281
Fax: 303-433-2862

Fran Barnes

Fran Barnes

TWENTIETH JUDICIAL DISTRICT

Request for Expanded Media Coverage of Court Proceedings

TO: _____

FROM: _____

Phone Number: _____

This is a formal request for expanded media coverage of proceedings in the case of:

(name) _____

(number) _____ scheduled for (date) _____

beginning at (time) _____

The type of coverage requested is: (audio) (video) or (still photography).

Pooling arrangements established and identity of designated

Representative are: _____

_____

_____

cc: distributed by requestor to each counsel involved

In the Supreme Court of the State of Idaho

IN RE: AMENDMENT OF IDAHO ADMINISTRATIVE COURT RULE (I.C.A.R.) 45 – CAMERAS IN THE COURTROOM	))))	ORDER

The Court having reviewed a recommendation from the Media/Courts Committee for amendments to Rule 45 of the Idaho Court Administrative Rules pertaining to the use of cameras in courtrooms, and the Court being fully informed;

NOW, THEREFORE, IT IS HEREBY ORDERED, that Rule 45 of the Idaho Court Administrative Rules is amended as follows:

Rule 45. Cameras in the courtroom.

(a) "Audio/visual coverage," as used in this rule, means broadcast video, audio, and photographic coverage or recording of public proceedings before district and magistrate judges. "Broadcast" means the transmission of images or sounds by any electronic means, including but not limited to television, radio, Internet, email or streaming. Audio/visual coverage is authorized subject to the discretion of the presiding judge. The presiding judge maintains the right to limit audio/visual coverage of any public hearing when the interests of the administration of justice requires. Authorization may be revoked at any time, without prior notice, when in the discretion of the court it appears that audio/visual coverage is interfering in any way with the proper administration of justice.

***

(h) If audio/visual coverage is authorized, rules governing the media shall be established at each judge's discretion. An order permitting audio/visual coverage of court proceedings shall not include any restriction on the time when, the place where, or the manner in which the content of the audio/visual coverage may be aired or published. Audio/visual coverage may be authorized subject to the following guidelines:

(1) **Jury** -- Photographing or videotaping of the jury or jurors is prohibited, including during jury selection.

(2) **Light** -- Existing light only may be used for still photography or video coverage. Electronic flash or artificial lighting is prohibited.

(3) **Camera Noise** -- Camera noise and distractions shall be kept to a minimum.

(4) **Still Photography** -- Electronic flash is prohibited. Photographers must use quiet camera equipment to minimize distraction from the judicial proceedings.

(5) **Video Coverage** -- No video or television camera shall give any indication of whether it is operating.

(6) **Audio** -- Any audio equipment shall be placed as determined by the presiding judge. There shall be no broadcast of confidential communications. If there is coverage by both radio and television, the microphones used shall serve each system without duplication.

(7) **Location** -- Media shall be in a position at least 15 minutes before court begins. Media positions shall not change while court is in session. The specific location or locations of media must be approved in advance by the presiding judge or designee.

(8) **Dress** -- Media representation shall present a neat appearance and conduct themselves in keeping with the dignity of the court proceedings as determined by the presiding judge.

(9) **Pooling of Video and Broadcast Coverage** -- Only one still photographer and one video and broadcast camera operator shall be permitted in the courtroom unless the presiding judge allows additional cameras. Any arrangements for pooling of video and broadcast coverage must be made by the media organizations.

(10) **Pooling of Still Photography** -- Only one still photographer shall be permitted in the courtroom unless the presiding judge allows additional still photography cameras. Any arrangements for pooling of still photography coverage must be made by the media organizations.

(11) **Sharing of Pool Photography, Video and Broadcast Coverage** -- If the presiding judge determines that only a pool photographer or video and broadcast camera operator shall be permitted in the courtroom, the pool photographer and video and broadcast camera operator shall share their images and audio recordings with all news organizations, either print or broadcast, that request them in a timely fashion. All images and audio recordings captured in the courtroom, whether before, during or after the actual court proceedings, by the pool photographer or video and broadcast camera operator shall be shared as required by this rule.

(i) The presiding judge may require any media representative to demonstrate adequately in advance of a proceeding that the equipment to be used meets the standards of the rule.

(j) The public shall not be required to incur any expenses to accommodate cameras or other equipment covered by this rule. Any proposal by media representatives to modify existing facilities at media expense to accommodate use of equipment in the courtroom shall be submitted to the trial court administrator for the district. A final proposal shall be submitted to the administrative district judge for acceptance, modification or rejection. When planning courtroom construction or remodeling, consideration shall be given to accommodations that will provide broadcast and print media with reasonable access to court proceedings.

(k) The Media/Courts Committee shall evaluate audio/visual coverage on an ongoing basis, and at any time bring forth recommendations to amend this rule.

(l) The request for approval to video record, broadcast or photograph a court proceeding and order granting or denying such request should be in substantially the following form:

Request for Approval/
Judge's Proposed Order

Directions: Fill out the form below, and present both the signed Request for Approval and proposed Order to the presiding judge's office.

IN THE DISTRICT COURT OF THE _____JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

_____	)	
PLAINTIFF(S)	)	
	)	REQUEST TO OBTAIN
	)	APPROVAL TO VIDEO
V.	)	RECORD, BROADCAST
		OR
	)	PHOTOGRAPH A COURT
_____	)	PROCEEDING
DEFENDANT(S)	)	

I hereby request approval to:

[ ] video record [ ] broadcast [ ] photograph the following court proceeding:

Case No.: _____

Date: _____

Time: _____

Location: _____

Presiding Judge: _____

I have read Rule 45 of the Idaho Court Administrative Rules permitting cameras in the courtroom, and will comply in all respects with the provisions of that rule, and will also make certain that all other persons from my organization participating in video or audio recording or broadcasting or photographing of the court proceedings have read Rule 45 of the Idaho Court Administrative Rules and will comply in all respects with the provisions of that rule.

_____
Print Name

_____
Signature

_____
News Organization Represented Phone Number

_____
Date

REQUEST TO OBTAIN APPROVAL TO VIDEO RECORD,
BROADCAST, OR PHOTOGRAPH A COURT PROCEEDING 1

ORDER

THE COURT, having considered the above Request for Approval under Rule 45 of the Idaho Court Administrative Rules, hereby orders that permission to **video record** the above hearing is:

[ ] GRANTED under the following restrictions in addition to those set forth in Rule 45 of the Idaho Court Administrative Rules:

_____
_____
_____

[ ] DENIED.

THE COURT, having considered the above Request for Approval under Rule 45 of the Idaho Court Administrative Rules, hereby orders that permission to **broadcast** the above hearing is:

[ ] GRANTED under the following restrictions in addition to those set forth in Rule 45 of the Idaho Court Administrative Rules:

_____
_____
_____

[ ] DENIED.

THE COURT, having considered the above Request for Approval under Rule 45 of the Idaho Court Administrative Rules, hereby orders that permission to **photograph** the above hearing is:

[ ] GRANTED under the following restrictions in addition to those set forth in Rule 45 of the Idaho Court Administrative Rules:

_____

_____

_____

[ ] DENIED.

All images and audio recordings captured in the courtroom, whether before, during or after the actual court proceedings, by any pool photographer or video and broadcast camera operator shall be shared with other media organizations as required by Rule 45 of the Idaho Court Administrative Rules.

DATED this _____ day of _____, _____.

_____

Justice/~~District/Magistrate~~ Judge

IT IS FURTHER ORDERED, that this order shall be effective on the 1 day of January, ~~2009~~. 2010.

DATED this 9 day of December, 2009.

By Order of the Supreme Court

Daniel T. Eismann
Chief Justice

ATTEST: Stephen Kenyon
Clerk

I, Stephen W. Kenyon, Clerk of the Supreme Court of the State of Idaho, do hereby certify that the above is a true and correct copy of the Order entered in the above entitled cause and now on record in my office.
WITNESS my hand and the Seal of this Court 12/10/09

STEPHEN W. KENYON Clerk

By: Kimberly Greene Deputy

Rule 46a. Cameras in the Supreme Court courtroom.
Media coverage of public hearings and appeals before the Supreme Court and Court of Appeals in the Supreme Court courtroom in Boise are subject to the following guidelines:

1. Behavior. Any media coverage must be designed so as to not interfere with the dignity of the proceedings, or to distract counsel or the Court.

2. Dress. Media representatives should present a neat appearance in keeping with the dignity of the proceedings.

3. Recording. Any recordings or broadcasts must originate from the audio system provided by the Court. No separate mikes will be allowed to be set up in the courtroom. The Court will provide a series of balanced line outlets for use with standard connections to connect to television cameras, radio broadcasting devices and recorders. In the event of demand greater than the outlets provided, media representatives will make pooling arrangements among themselves. No taping or recording of conversations between co-counsel or counsel and client is allowed.

4. Authorization. Authorization to access the press box overlooking the courtroom must be obtained from the Chief Justice of the Supreme Court or the Chief Judge of the Court of Appeals in advance of the hearing and will be limited to working media representatives and others approved by the Court. The Clerk of the Courts shall provide a chart of Justices and Judge seating to be posted in the press box.

5. Equipment. The use of an electronic flash with any camera is prohibited. No additional lighting will be allowed without approval of the Chief Justice of the Supreme Court or the Chief Judge of the Court of Appeals, and no camera should give audio or visual indication of whether it is or is not operating. Cameras may be set up and taken down in the press box overlooking the courtroom only so long as such actions do not distract from the judicial proceedings.

6. Official Record of Proceeding. The recording machine operated by the Clerk is the only official record of the appeal hearing, and no party shall cite in any court or administrative agency proceeding any other recording of the Supreme Court or Court of Appeals hearings.

7. Movement In Courtroom. Media representatives are allowed to cover the proceedings from the courtroom floor as long as they remain in the area reserved for the general public and as long as they do not excessively move around the courtroom or assume body positions inappropriate to a courtroom proceeding or otherwise distract from the appellate proceedings.

8. Liaison. The Administrative Director of the Courts and or the Clerk of the Supreme Court shall maintain communication and liaison with media representatives so as to ensure smooth working relationships and to provide any suggestions to improve these guidelines.

9. Live Coverage of Court Proceedings. Live coverage of any hearing or appeal may be restricted in the interests of the administration of justice.

10. Not Applicable to Coverage or Broadcasting Outside of Supreme Court Courtroom. This rule shall not apply to media coverage of judicial events or public activities outside the courtroom of the Supreme Court, including, but not limited to, the front steps or other public areas of the Supreme Court Building.

(Adopted August 8, 2008, effective August 8, 2008.)

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE AMENDMENT OF THE RULES ON CAMERAS AND ELECTRONIC MEDIA COVERAGE IN THE COURTS.

ADKT No. 440

FILED

AUG 01 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY [signature]
CHIEF DEPUTY CLERK

ORDER AMENDING RULES ON CAMERAS AND ELECTRONIC MEDIA COVERAGE IN THE COURTS

Pursuant to a petition filed on August 31, 2009, by the Hon. Nancy Saitta, Supreme Court Justice, requesting the amendment of Part IV of the Supreme Court Rules relating to the cameras and electronic media coverage in the courts;

IT IS HEREBY ORDERED that Part IV of the Supreme Court Rules shall be amended as set forth in Exhibit A.

IT IS FURTHER ORDERED that the rule amendments shall become effective 30 days from the date of this order. The clerk of this court shall cause a notice of entry of this order to be published in the official publication of the State Bar of Nevada. Publication of this order shall be accomplished by the clerk disseminating copies of this order to all subscribers of the advance sheets of the Nevada Reports and all persons and agencies listed in NRS 2.345, and to the executive director of the State Bar of Nevada. The certificate of the clerk of this court as to the accomplishment of the above-described publication of notice of entry and

11-23052

dissemination of this order shall be conclusive evidence of the adoption and publication of the foregoing rule amendments.

Dated this 1st day of ~~July~~ August, 2011.

_____, C.J.
Douglas

_____, J.
Cherry

_____, J.
Saitta

_____, J.
Gibbons

_____, J.
Pickering

_____, J.
Hardesty

_____, J.
Parraguirre

cc: Judicial Public Information Committee
Constance Akridge, President, State Bar of Nevada
Kimberly Farmer, Executive Director, State Bar of Nevada
All District Court Judges
All Municipal Court Judges
All Justices of the Peace
Nevada Press Association
Nevada Broadcasters Association
Administrative Office of the Courts

PART IV. RULES ON [~~CAMERAS AND~~] ELECTRONIC [~~MEDIA~~] COVERAGE [~~IN THE~~] OF COURT[~~S~~] PROCEEDINGS

Rule 229. Definitions and Scope.

1. Definitions

~~1.~~(a) [~~The term "judge"~~] "Judge" means the particular judge, justice, or judicial officer who is presiding over the public proceeding, or his or her designee (e.g., Public Information Officer, Clerk or Court Administrator).

~~2.~~(b) [~~The term "proceeding"~~] "Proceeding" means any trial, hearing, motion, hearing on an order to show cause or petition, or any other matter held in open court which the public is entitled to attend.

(c) "News reporter" shall include any person who gathers, prepares, collects, photographs, records, writes, edits, reports, or publishes news or information that concerns local, national, or international events or other matters of public interest for dissemination to the public.

(d) "Electronic coverage" means broadcasting, televising, recording or taking photographs by any means, including but not limited to video cameras, still cameras, cell phones with photographic or recording capabilities or computers.

2. Scope.

(a) These rules do not govern the coverage of a proceeding by a news reporter who is not using a camera or electronic equipment.

(b) Except as provided by these rules, the use of cameras, cellular phones or other electronic devices to photograph or record courtroom proceedings without the express permission of the judge is prohibited.

Rule 230. Duty of [~~media~~] news reporters to obtain permission.

1. [~~Representatives of the media~~] News reporters desiring permission to [~~broadcast, televise, record or take photographs~~] provide electronic coverage of a proceeding in the courtroom shall file a written request with the judge at least [~~72~~] 24 hours before the proceeding commences [~~, For good cause shown~~], however, the judge may grant such a request on shorter notice or waive the requirement for a written request. The attorneys of record shall be notified by the court administrator or by the clerk of the court of the filing of any such request by [~~the media~~] a news reporter. The written order of the judge granting or denying [~~media~~] access by a news reporter to a proceeding shall be made a part of the record [~~on~~] of the proceedings.

2. Under these rules, there is a presumption that all courtroom proceedings that are open to the public are subject to electronic coverage. A judge shall make particularized findings on the record when determining whether electronic coverage will be allowed at a proceeding, in whole or in part. Specifically, the judge shall consider the following factors:

(a) The impact of coverage upon the right of any party to a fair trial;

(b) The impact of coverage upon the right of privacy of any party or witness;

(c) The impact of coverage upon the safety and well-being of any party, witness or juror;

(d) The likelihood that coverage would distract participants or would detract from the dignity of the proceedings;

(e) The adequacy of the physical facilities of the court for coverage; and

(f) Any other factor affecting the fair administration of justice.

Rule 231. Revocation of permission.

1. If any **[~~media representative~~]** news reporter fails to comply with the conditions prescribed by the judge, the judge may revoke that individual's permission to **[~~broadcast or photograph~~]** provide electronic coverage of the proceeding.

2. This authorization may be revoked at any time without prior notice when, in the judge's discretion, it appears that **[~~media~~]** electronic coverage of the judicial proceedings is interfering in any way with the proper administration of justice.

3. If permission is revoked, the judge shall make particularized findings on the record.

Rule 232. Liaison.

1. Court representative. The **[~~court administrator or~~]** judge shall maintain communication and liaison with **[~~media representatives~~]** news reporters so as to ensure smooth working

relationships and to provide any suggestions to improve these guidelines.

2. Media representative. In conjunction with these **[~~guidelines~~]** rules to govern electronic **[~~media and photographic~~]** coverage during court proceedings, it is the **[~~broadcasters and photographers~~]** responsibility of news reporters to **[~~shall~~]** designate a representative with whom the court may consult.

[~~Participating members of the electronic media and participating print photographers are to make their own arrangements for the establishment of necessary procedures and selection of a pool representative and alternate to serve for two calendar months, without calling upon the court to mediate any dispute as to the appropriate media representative or equipment authorized for a particular proceeding.~~]

Rule 233. Pooling.

1. Unless specifically authorized by the judge, no more than one television camera person and one still photographer should be taking pictures in the courtroom at any one time. If more than one news reporter has permission to participate, it is the responsibility of the news reporters to determine who will participate at any given time or, in the alternative, how they will pool their coverage. This understanding should be reached outside the courtroom and before the court session, and must be done without imposing on the court or court personnel. In the event that the news reporters cannot agree on who will participate, the judge shall select the pool camera will be allowed

to participate. Priority as the video pool camera should favor a media outlet that is televising an entire proceeding.

2. To be eligible to participate in a camera pool, a news reporter must apply prior to a court proceeding for appropriate permission pursuant to Rule 230(1).

3. Any pooling arrangements necessitated among the **[~~media~~]** news reporters by these limitations on equipment and personnel shall be the sole responsibility of the **[~~media~~]** news reporters and must be arranged prior to coverage without calling upon the court to mediate any dispute regarding appropriate **[~~media~~]** personnel or equipment. Every effort must be made for the joint use of audio and photographic equipment within the courtroom.

[~~Unless specifically authorized by the judge, no more than one television camera and one still photographer should be taking pictures in the courtroom at any one time. If multiple coverage is desired, it is the responsibility of broadcasting representatives to determine who will participate at any given time, or, in the alternative, how they will pool their broadcast coverage. This understanding should be reached outside the courtroom and before the court session, and must be done without imposing on the court or court personnel.~~]

4. If pooling arrangements are employed, such data or information is to be available equally to all pool participants in a generally accepted form or format, and the pool representative shall charge no fees or expenses to the other pool participants. The pool representative is not to be given any economic or coverage advantage over the other pool participants. If costs are associated with

establishing media pool coverage, the costs should be shared among the pool participants.

5. [~~Media personnel shall demonstrate to the judge adequately in advance of any proceeding that the equipment they seek to utilize meets the sound and light criteria enunciated herein. Media personnel shall not be allowed to use any equipment in any proceeding that has not been judicially approved in advance.~~] News reporters utilizing video or still cameras shall not utilize equipment that produces distracting sounds. News reporters utilizing such equipment may have their permission to video or photograph the proceeding revoked.

6. News reporters shall not interrupt a court proceeding with a technical or equipment problem.

Rule 234. Audio systems. A single audio system will provide sound for both radio and television use, preferably the existing audio system present in the courtroom. If [~~for some reason,~~] such a system does not exist or is not satisfactory for radio and television use, the [~~media~~] affected news reporters shall report that fact to the judge, and shall install, at [~~media~~] the affected news reporters' expense, microphones and related wiring in advance of the trial or during a recess or adjournment in such a way as to keep the equipment as unobtrusive as possible. Such equipment shall be located in places designated in advance of any proceeding by the court or its designee.

Rule 235. Location of equipment and personnel.

1. Broadcast equipment shall be positioned in such locations in the court facility as shall be designated by the judge. The area designated shall provide reasonable access to coverage.

2. All equipment shall be in place and tested 15 minutes in advance of the time the court is called to order and **[~~shall~~]** should be as unobtrusive **[~~or hidden~~]** as possible. If equipment is not in place prior to a court hearing, a judge may deny access until a break in the proceeding.

[~~1.~~]3. Still photography. The still camera photographer shall be positioned in such locations in the court facility as shall be designated by the judge. The areas designated shall provide reasonable access to coverage. The still camera photographer shall assume a fixed position within the designated area, and once the photographer is positioned, such photographer shall not move about in any way as to attract attention. If the still camera being used produces audible noise, the photographer shall limit the number of photographs so as not to distract from the court proceeding.

[~~2.~~]4. Wires. Wires, microphones, and similar equipment shall be placed as unobtrusively as possible within the courtroom at least 15 minutes before the proceedings begin and will be secured or taped down when this is appropriate. All wiring shall be unobtrusive or hidden, and must be placed where it will not interfere with anyone or constitute a hazard. The bailiff shall inspect the location of any wires, microphones, and other equipment to see that they comply with **[~~the~~]** these rules.

Rule 236. Dress and decorum. **[~~Media representatives~~]**

1. News reporters should present a neat appearance in keeping with the dignity of the proceedings.

2. The decorum and dignity of the court, the courtroom, and the proceedings must be maintained at all times.

Rule 237. Limitations ([~~news media~~] personnel). **[~~Broadcast coverage is~~]** Operation of video or still cameras in the courtroom will be allowed only for **[~~press representatives~~]** news reporters designated by the pool coordinator **[~~to~~]** or by the court pursuant to these rules.

[~~Identification as a member of the news media shall be carried at all times when covering court proceedings.~~]

Rule 238. Limitations (jury).

1. Requirements of sequestration of the jury. In any case where a jury has been impanelled, such jury shall not be sequestered solely because of any activity authorized by these guidelines. This rule does not affect the authority of the judge to order sequestration for any other lawful purpose.

2. Photography of jury. Consent of the jury shall not be required. **[~~The media~~]** News reporters will not deliberately photograph the jury or individual jurors. However, it is recognized that, because of the physical layout of some courtrooms and the general trial activity in any courtroom, it may be impossible not to photograph some jurors as part of the proceedings. To the extent possible, news reporters shall locate

and focus their equipment in such a manner as to minimize photographs of the jury.

3. **[~~If no request for permission to broadcast to provide electronic coverage is made, or such a request is denied, the media~~]** News reporters shall not deliberately photograph the jury or individual jurors **[~~in the hallways or immediate areas of courtrooms~~]** during the pendency of the proceeding. News reporters or news organizations who violate this provision may be excluded from further participation in electronic news coverage authorized in these rules.

Rule 239. Limitations (conferences of counsel). Camera coverage shall be limited to proceedings open to the public. In order to protect the attorney/client privilege and the right to effective assistance of counsel, **[~~the media~~]** news reporters shall not record or broadcast by audio or video transmission the content of any privileged conference, including, but not limited to, conferences occurring between attorneys and their clients, between attorneys, between clients or between or among attorneys, their clients and the judge when **[~~he~~]** the judge calls for a colloquy at the bench.

Rule 240. Limitations (consent of parties).

1. Consent of participants. The consent of participants to coverage is not required. The judge, however, in the exercise of sound discretion, may prohibit the filming or photographing of any participant who does not consent to being filmed or photographed. This is in recognition of the authority reposing in the judge, upon the exercise of sound discretion, to hold certain judicial proceedings, or

portions thereof in camera and in recognition of the fact that certain proceedings or portions thereof are made confidential by law. This provision does not apply to jurors during the pendency of the proceeding as they are covered elsewhere in these rules.

2. Consent not to be given for [~~consideration~~] payment. No witness, juror or party shall give consent to coverage for any [~~consideration~~] payment, of any kind or character, either directly or indirectly.

Rule 241. Limitations (use of broadcast material).

1. [~~Film, videotape~~] Video, photography [~~and~~] or audio reproductions may only be used for educational or informational purposes, and may not be used for unrelated advertising purposes.

[~~1.~~]2. Official record. The official court record of any proceeding is the transcript of the original notes of the court reporter or court recorder made in open court. [~~Films, videotapes,~~] Videos, photographs or audio reproductions made in a court proceeding as a result of these rules shall not be considered as part of the official court record.

Rule 242. Limitations (restricted access).

1. Court discretion. During the conduct of any [~~voir dire hearing~~] proceeding at which the print media is ordered by the judge to be excluded, [~~the electronic media~~] all other types of news reporters shall also be excluded.

2. [~~This rule shall not be construed to grant media representatives any greater rights than permitted by law wherein public or media access or publication is prohibited, restricted or limited.~~] News reporters shall have no greater rights of access than the public.

3. Audio or visual equipment authorized by these rules must not be operated during a recess in a court proceeding unless otherwise approved by the judge, with notice to counsel.

[~~If a proceeding is being covered in the courtroom, then the media representatives shall not be permitted to transmit or record anything regarding that proceeding outside that immediate courtroom area.~~]

Rule 243. Appellate process. No direct appellate review of the interpretation or application of these rules shall be available to the [~~electronic or print photography media,~~] news reporters or parties. News reporters or parties may, however, seek extraordinary relief by way of writ petition.

Rule 244. Attorney conduct. Attorneys must observe and strictly comply with [~~Supreme Court Rule 177~~] Rule of Professional Conduct 3.6 regarding the conduct of all attorneys with respect to trial publicity.

Rule 245. [~~Briefing conference~~]**Notice.** The judge who knows that the proceeding will be covered by [~~radio, television or still photographers~~] news reporters shall advise the attorneys and

parties in the proceeding of this fact and call these rules to the attention of the attorneys, unrepresented parties and the **[~~media~~]** pool coordinator or designee. It shall be the responsibility of attorneys to notify their witnesses.

Rule 246. [~~Tape recorders~~]Other devices.

1. Unobtrusive tape recorders or other electronic devices such as cell phones, personal digital assistants (PDAs), laptop computers or other similar functioning devices used to take notes located on or near the news reporter may be allowed by the judge. It will be understood that these **[~~recorders~~]** devices will be used only for accurate transcriptions of the court proceedings, and are not to be used for broadcast.

2. Electronic devices may be used in the courtroom to transmit and receive data communications, provided that the equipment does not make any disruptive noise or interfere with court equipment. Electronic devices may not be used for telephone calls in the courtroom.

3. Notwithstanding the provisions of Rule 230, tape recorders or other electronic devices may be used as described in this rule [**~~,provided the bailiff is notified prior to recording~~**]. Electronic devices may not be used for photography, or audio or video recording for broadcast or transmission, however, unless permission is obtained pursuant to Rule 230. Use of an electronic device without permission, other than as described in this rule, may result in the confiscation of the device.

~~[Rule 247. Special rule of judicial conduct. While these rules are in effect, the provisions of Canon 3(A)(7) of the Nevada Code of Judicial Conduct are suspended and the following language substituted therefor:~~

~~Subject at all times to the authority of the judge to: (i) control the conduct of proceedings before the court; (ii) ensure decorum and prevent distractions; and (iii) ensure the fair administration of justice in the pending cause, electronic media and still photography coverage of public judicial proceedings in the courts of this state shall be allowed in accordance with standards of conduct and technology promulgated by the Supreme Court of Nevada.]~~

WASHINGTON

RULE GR 16
COURTROOM PHOTOGRAPHY AND RECORDING BY THE NEWS MEDIA

(a) Video and audio recording and still photography by the news media are allowed in the courtroom during and between sessions, provided

(1) that permission shall have first been expressly granted by the judge; and

(2) that media personnel not, by their appearance or conduct, distract participants in the proceedings or otherwise adversely affect the dignity and fairness of the proceedings.

(b) The judge shall exercise reasonable discretion in prescribing conditions and limitations with which media personnel shall comply.

(c) If the judge finds that sufficient reasons exist to warrant limitations on courtroom photography or recording, the judge shall make particularized findings on the records at the time of announcing the limitations. This may be done either orally or in a written order. In determining what, if any, limitations should be imposed, the judge shall be guided by the following principles:

(1) Open access is presumed; limitations on access must be supported by reasons found by the judge to be sufficiently compelling to outweigh that presumption;

(2) Prior to imposing any limitations on courtroom photography or recording, the judge shall, upon request, hear from any party and from any other person or entity deemed appropriate by the judge; and

(3) Any reasons found sufficient to support limitations on courtroom photography or recording shall relate to the specific circumstances of the case before the court rather than reflecting merely generalized views.

[Adopted effective December 27, 1991; amended effective January 4, 2005.]

Comment

Before 1991 when GR 16 on "Cameras in the Courtroom" was first adopted, the subject had only been addressed in the Code of Judicial Conduct's Canon 3(A)(7). The intent of the 1991 change was to make clear both that cameras were fully accepted in Washington courtrooms and also that broad discretion was vested in the court to decide what, if any, limitations should be imposed. In subsequent experience, both judges and the media have perceived a need for greater guidance as to how that judicial discretion should be exercised in a particular case. This 2003 amendment to GR 16 is intended to fill that practical need.

While not providing much guidance for the court's exercise of discretion, the Canon did contain some "illustrative guidelines" on how media personnel should conduct themselves while covering the courts. Although

these guidelines were no longer a part of the rule once GR 16 was adopted, they continued to be published in the accompanying Comment. Some portions of those guidelines have now become outdated and others are superseded by language in the new GR 16. Because there continues to be potential value in some of the remaining guidelines, they will be here set out in redacted form:

ILLUSTRATIVE BROADCAST GUIDELINES

1. Officers of Court. Broadcast newspersons should advise the bailiff prior to the start of a court session that they desire to electronically record and/or broadcast live from within the courtroom. The bailiff may have prior instructions from the judge as to where the broadcast reporter and/or camera operator may position themselves. In the absence of any directions from the judge or bailiff, the position should be behind the front row of spectator seats by the least used aisleway or other unobtrusive but viable location.

2. Pooling. Unless the judge directs otherwise, no more than one television camera should be taking pictures in the courtroom at any one time. It should be the responsibility of each broadcast news representative present at the opening of each session of court to achieve an understanding with all other broadcast representatives as to how they will pool their photographic coverage. This understanding should be reached outside the courtroom and without imposing on the judge or court personnel.

3. Broadcast Equipment. All running wires used should be securely taped to the floor. All broadcast equipment should be handled as inconspicuously and quietly as reasonably possible. Sufficient film and/or tape capacities should be provided to obviate film and/or tape changes except during court recess. No additional lights should be used without the specific approval of the presiding judge.

4. Decorum. Camera operators should not move tripod-mounted cameras except during court recess. All broadcast equipment should be in place and ready to function no less than 15 minutes before the beginning of each session of court.

An accompanying set of "Illustrative Print Media Guidelines" contained substantially the same provisions from print media personnel. The only additional matters addressed were that still photographers should use cameras operating quietly and without a flash and they should not "assume body positions inappropriate for spectators."

Utah Code of Judicial Administration Rule 4-401

Rule 4-401. Media in the courtroom.

Intent:

To establish uniform standards and procedures for conduct and the use of photographic equipment in the courts of the state.

To permit access to the courtroom by the news media while preserving the participants' rights to privacy and a fair proceeding.

Applicability:

This rule applies to the courts of record and not of record.

This rule governs photography and conduct during sessions of court and recesses between sessions.

This rule shall not diminish the authority conferred by statute, rule or common law of the judge to control the conduct of proceedings in the courtroom.

As used in this rule, the term "courtroom" includes the courtroom and areas immediately adjacent to the courtroom.

Statement of the Rule:

(1)(A) Filming, video recording, and audio recording in a trial courtroom are prohibited except to preserve the official record of proceedings. With the permission of the judge presiding at the proceeding, an audio or video signal of proceedings may be transmitted and copied.

(1)(B) Filming, video recording, and audio recording in an appellate courtroom are permitted to preserve the official record of proceedings and as permitted by procedures of those courts. With the permission of the judge presiding at the proceeding, an audio or video signal of proceedings may be transmitted and copied.

(2) Still photography, filming and audio and video recording in the courtroom for ceremonial or court approved public information programs are permitted when arranged through the presiding judge of the court.

(3) No one may photograph a juror or prospective juror before the person is dismissed.

(4) Still photography in a courtroom is prohibited, but it may be permitted in the discretion of the judge presiding at the proceeding. Except on such terms as the judge presiding at the proceeding may prescribe, no one may photograph in the courtroom an

exhibit or a document that is not part of the official public record or the face of a person known to the photographer to be a minor. A request to photograph in a courtroom shall be filed with the judge presiding at the proceeding at least 24 hours prior to the proceeding. A judge may permit photography with less than 24 hours notice upon a showing of good cause. In determining whether to permit still photography and, if so, how to regulate it, the judge presiding at the proceeding should consider whether:

(4)(A) photography can be accommodated without distracting the participants;

(4)(B) there is a substantial likelihood photography would jeopardize the right to a fair proceeding; or

(4)(C) the privacy interests of the victim of a crime, a party in a civil case or a witness outweigh the interest of the public in access to a photograph of the person.

(5) Conduct in the courtroom.

(5)(A) The judge presiding at the proceeding may position reporters and equipment in the courtroom to permit reasonable news coverage. Media representatives must share a single photographer.

(5)(B) Photographers shall not use flash or strobe lights. Media representatives shall use normally available courtroom equipment unless the presiding judge and the judge presiding at the proceeding approve modifications, which shall be installed and maintained without public expense.

(5)(C) Proceedings in the courtroom shall not be disrupted. Members of the media in the courtroom shall:

(5)(C)(i) avoid calling attention to themselves;

(5)(C)(ii) not place equipment in or remove equipment from the courtroom while court is in session;

(5)(C)(iii) not make comments in the courtroom during the court proceedings;

(5)(C)(iv) not comment to or within the hearing of the jury or any member thereof at any time before the jury is dismissed;

(5)(C)(v) present a neat appearance in keeping with the dignity of the proceedings;

(5)(C)(vi) not conduct interviews in the courtroom until the proceeding is concluded and the court is recessed;

(5)(c)(vii) not use a camera or tape recorder to conduct interviews in the courtroom; and

(5)(C)(viii) comply with the orders and directives of the court.

(6) In addition to contempt and any other sanctions allowed by law, the court may remove anyone violating these rules from the courtroom and revoke the privileges contained in this rule.