

GUIDELINES FOR THE BROADCASTING, TELEVISION, PHOTOGRAPHING AND RECORDING OF COURT PROCEEDINGS IN THE DISTRICT AND COUNTY COURTS OF CHAMBERS COUNTY

The broadcasting televising, photographing, and recording of court proceedings in the District and County Courts of Chambers County are hereby authorized in accordance with the guidelines promulgated herewith which contain safeguards to ensure that this type of **media** coverage shall not detract from the dignity of the court proceedings or otherwise interfere with the achievement of a fair and impartial hearing.

DEFINITIONS

Media agency - means any person or organization engaging in news gathering or reporting and includes any newspaper, radio or television station or network, news service, magazine, trade paper, professional journal, or other news reporting or news gathering agency.

“**Media** coverage” - means any reporting, recording or broadcasting of court proceedings by the **media** using television, radio photographic or recording equipment.

“Proceeding” - means any court hearing to include pretrial motions and the trial of the case.

GUIDELINES

A. DISCRETION OF JUDGES

Live **media** coverage of proceedings shall not be limited by the objection of counsel or parties, except that the courts individually reserve the right to limit or deny **media** coverage.

1. **Media** coverage in the courts is subject at all times to the authority of the judge to (a) control the conduct of the proceedings before the court; (b) ensure decorum and prevent distractions; and (c) ensure fair administration of justice in the pending cause.
2. The district or county has sole and primary discretion to exclude and or specify the type of coverage of certain witnesses, including but not limited to the victims of sex crimes and their families, police informants, undercover agents, relocated witnesses and juveniles.
3. The judge has discretionary power to forbid coverage whenever that coverage may have a deleterious effect on the paramount right of the defendant to a fair trial.
4. The judge has the discretion to limit or to terminate the coverage at any time during the proceedings if the court deems such is necessary and that it is in the interest of justice to protect the rights of the parties, witnesses, or the dignity of the court, or to assure the orderly conduct of the proceedings, or for any other reason considered necessary or appropriate by the court.

B. RESTRICTIONS

1. Neither the jury nor any member of the jury may be filmed in or near the **courtroom**, nor shall the jury selection process be filmed.
2. Audio pickup, broadcast or recording of a tender of evidence offered by a party for the purpose of determining admissibility made before the judge out of the hearing of the jury is not permitted.

3. Audio pickup, broadcast, photography, televising or recording of a Conference in the **courtroom** between members of the court, court and counsel, co-counsel, or counsel and client is not permitted.

4. Audio pickup or recording of proceedings held in chambers, and proceedings generally closed to the public is not permitted.

5. Audio pickup, broadcast or recording of conferences between an attorney and client, witness or aid, between attorneys or between counsel and the Court at the bench is not permitted.

C. NOTICE

The broadcasters, photographers and recorders shall notify the clerk of the particular court of their desire to cover a proceeding and request permission for such coverage at least forty-eight (48) hours in advance of any coverage. Each judge may have the discretion to lengthen, or shorten the time for advance notice for coverage of a particular proceeding. The notice filed shall be signed by an agent of each specific **media** agency that intends to cover a proceeding or a trial and the notice will contain an acknowledgement that such **media** agency and agent has received a copy of these guidelines and that these guidelines are binding upon said agency and agent. Upon the filing of a request for coverage and prior to the commencement of the proceedings, the court shall consider the request and either grant or deny the request. Any **media** agent who intends to disseminate any footage of court proceedings shall guarantee that the restrictions imposed by these guidelines are adhered to¹.

D. DECORUM

The decorum and dignity of the court, the **courtroom** and the proceedings must be maintained at all times. Court customs must be followed, including appropriate attire. Movement in the **courtroom** during the proceedings shall be limited and may be completely excluded except during breaks or recess. Disruption of the proceedings shall be avoided.

E. STANDARDS

The **media** shall maintain high journalistic standards regarding the fairness, objectivity and quality of the coverage allowed under the guidelines.

F. FAMILY AND JUVENILE MATTERS

Because of the sensitive matters routinely addressed in juvenile and family law **media** coverage of these matters is not permitted.

G. EQUIPMENT AND PERSONNEL

Unless otherwise agreed upon by the court, equipment and personnel within the **courtroom** or hearing room shall be limited as follows.

1. All equipment shall be operated from a point specifically designated by the court.

2. Not more than one portable television camera operated by not more than one camera person shall be permitted. Only natural lighting shall be used. Cameras shall be quiet and shall be placed and operated as unobtrusively as possible within the **courtroom** at a location approved by the court. The cameras shall be in place at least fifteen (15) minutes before the proceedings begin.

3. Not more than two audio systems shall be permitted. All running wires shall be securely taped to the floor. Multiple radio feeds shall be provided by a junction box.

4. Not more than one still photographer, utilizing not more than one still camera each, shall be permitted. The cameras must not produce any distracting sounds. No motor drives or auto winders will be allowed and each camera is to be appropriately sound proofed. Only natural lighting shall be used. Still photographers shall remain in one place during the proceedings, but they may shift positions during breaks or recess.

5. Tape recorders may be used by members of the **media**, so long as they do not constitute a distraction during proceedings.

6. Any pooling arrangements necessary shall be the sole responsibility of the **media** and must be concluded prior to coverage without calling upon the court to mediate any dispute regarding appropriate **media** and personnel.

H. INAPPLICABILITY TO INDIVIDUALS

The privileges granted by these rules may be exercised only by persons or organizations, which are part of the news **media**.

I. OBJECTIONS

Any party may request, or object to, cameras in the **courtroom** by written motion, which may be supported by affidavits, which motion shall be filed not later than fifteen (15) days prior to trial. No other evidence shall be presented. Once notice is given to the court that the **media** intends to cover the proceeding, the trial court shall consider the party's motion and grant or deny the same.

J. IMPERMISSIBLE USE OF MEDIA MATERIAL

None of the film, videotape, still photographs or audio reproduction developed during or by virtue of coverage of a judicial proceeding shall be admissible as evidence in¹ the proceeding out of which it arose, any proceeding subsequent collateral thereto, or upon any retrial or appeal of such proceeding. Such recordings shall not be considered to be part of the official court record.

The official court record of any proceedings is the transcript of the original notes of the court reporter made in open court.

K. ENFORCEMENT AND SANCTIONS

In any proceeding where there is **media** coverage, these guidelines shall have the force and effect of a judicial order and may be enforced by the court as allowed by law.

A violation of these guidelines may be sanctioned by measures deemed appropriate by the court; not limited to; but may include barring that particular **media** agency or agent from access to future **media** coverage of proceedings in that **courtroom** for a defined period of time.

GUIDELINES FOR THE BROADCASTING, TELEVISIONING, PHOTOGRAPHING AND RECORDING IN THE COURTHOUSE COMMON AREAS, HALLWAYS AND PREVIOUSLY APPROVED REQUESTED AREAS

1. Audio and Video recording is prohibited within the Courthouse, without prior written consent from the County Judge's office
2. Media personnel are not allowed to record, interview, loiter or otherwise position themselves or their equipment in the common areas or hallways of the Courthouse without prior written approval from the County Judge's office.
 - a. **Media Equipment and Vehicle Positioning:** All media personnel must submit a request to the County Judge's Office a minimum of two (2) business days in

advance, to request to park vehicles and position media equipment on or around Courthouse property. While located on the property, media personnel may not block, obstruct or otherwise hinder the flow of vehicles and pedestrian traffic to/from the Courthouse, or disrupt business activities.

3. Media personnel are not authorized to enter into office areas or conduct interviews, question, or otherwise seek to acquire information from County Employees at any time while on the premises, without prior written authorization from the County Judge's Office
4. Media personnel will not conduct their operations in a way that is disruptive to the order and activities of the Courthouse, or interfere with proceedings or work flow of County employees.
5. Authorized media personnel and equipment may only be positioned in pre-coordinated locations within the courthouse, as designated by Courthouse security.
6. Filming, audio recording or interception, video recording, photography or capturing the likeness or image of any jurors or witnesses inside the courthouse is strictly prohibited.