

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
OF FLORIDA

ADMINISTRATIVE ORDER NO.:
12-35

**IN RE: ADMINISTRATIVE RULES - MEDIA POLICY FOR COVERAGE OF SPECIAL
INTEREST/HIGH PROFILE CASES**

WHEREAS, pursuant to Article V, Section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the fair and efficient administration of justice;

Florida Rule of Judicial Administration 2.450 governs the use of technology in judicial proceedings and vests the presiding judge with broad authority to control the conduct of proceedings before the court, maintain decorum, prevent distractions, and ensure the safety and security of persons and property; and

Special interest/high visibility proceedings may require procedures and special accommodations to ensure media full access without compromising the right of any litigant to a fair and orderly trial;

The presiding judge has the authority to determine whether the case he or she is presiding over is a special interest/high profile case and to determine whether to invoke the procedures established by this Order;

NOW, THEREFORE, I, Alan Dickey, pursuant to the authority vested in me as Chief Judge of the Eighteenth Judicial Circuit of Florida under Florida Rules of Judicial Administration 2.215 and 2.450, hereby order that, effective immediately:

I. GUIDELINES FOR MEDIA COVERAGE OF SPECIAL INTEREST/HIGH PROFILE PROCEEDINGS:

- A. All media representatives must read this Administrative Order and Florida Rule of Judicial Administration 2.450 governing technological coverage of judicial proceedings. The Rules of Judicial Administration can be accessed on The Florida Bar webpage at <http://www.floridabar.org/>.
- B. All media representatives must display official media credentials with photo I.D. at all times.

- C. All media representatives must exhibit proper courtroom decorum, dress appropriately, place pagers and cell phones in silent mode, and refrain from eating or chewing gum.
- D. As outlined in Rule 2.450, only one video camera and operator, two still cameras and one operator, and one audio recording device and operator are permitted to cover a court proceeding. Additional cameras and recording devices, including those not turned on or recording, must remain outside the courtroom. Any non-approved recording or broadcasting of court proceedings violates Florida Rule of Judicial Administration 2.450.
- E. Use of laptop computers in the courtroom is permitted provided that they operate silently on the lap of the user and do not take up additional seating space. Laptops must operate on battery power. Cabling of extension cords and power supplies is prohibited in the courtroom. All reporters and media personnel may witness open proceedings provided there is available seating in the courtroom. Unless otherwise specified by the presiding judge, seating for members of the media is on a first-come, first-served basis. However, *special press credentials and assigned seating may be required in high-profile cases.*
- F. Media access to a courtroom is granted at the time the deputy opens the courtroom to the general public. All media equipment is subject to search by court deputies at any time. All set-up and breakdown of cameras and recording devices must be done when court is not in session. Courtroom video cameras must be operated from a tripod. Cameras and recording devices must operate silently and not produce distracting light. Media representatives shall not engage in any movement or discussions during proceedings that attracts undue attention.
- G. For court proceedings held outside of the courthouse, such as jury viewings of the scene of the crime, the media shall comply with the instructions of the presiding judge and the local Sheriff's Office.
- H. Assignment of a video and/or still pool camera is the sole responsibility of the media. Placement or use of additional microphones is prohibited without prior approval of the presiding judge. Additional camera lighting is also prohibited in the courtroom.
- I. Use of portable signal distribution systems (e.g. portable microwave systems) is prohibited within the courthouse facility.
- J. Media personnel may not cover "side bar" or "bench" conferences. There shall be no recording or broadcast of conferences that occur in court between attorneys and their clients, or between co-counsel of a client, or between counsel and the presiding judge held at the bench.
- K. To prevent interference with court proceedings and protect an interested party's rights, no interviews shall be permitted in the presence of the jury or any potential juror. No interviews shall be permitted within any courthouse facility which unreasonably interferes with the safety, security, or movement of persons in any courtroom, doorway, hallway, and other areas of any courthouse facility, or which disrupts any court proceeding. Additionally, media personnel shall not station themselves or their equipment in public areas of the courthouse in any manner that unreasonably interferes with the safety, security, or movement of persons or which is disruptive to any court proceeding.

- L. In special interest/high profile cases where media representation exceeds courtroom capacity, the court may designate an area in the courthouse to serve as a media overflow room. Only media representatives with pre-approved press credentials will be allowed access to this area.
 - 1. In Seminole County, a media room is located on the first floor of the Criminal Justice Center. It will be available to credentialed media personnel during regular business hours. Use of this room and its distribution feeds is on a first come basis. The press room is equipped with XLR jacks for audio plug in. Media representatives are expected to use this room for professional business only. The video signal is composite and audio is at microphone level. You will need BNC and one XLR cables to connect. Power is available.
- M. Media cabling and equipment cannot block vehicle lanes or walkways at any courthouse facility. The Court Administration office should be contacted for special directives that may apply to a specific court proceeding or event.
- N. The courtrooms and related interior court space in any Brevard or Seminole County courthouse, including jury rooms and courthouse hallways, are to be used to conduct judicial proceedings in a dignified manner. Use of these facilities for non-judicial purposes, such as a backdrop to a news story, promotion, broadcast or advertisement is considered an unnecessary expense of court manpower and resources. Special access to these areas is prohibited without express permission by the Court.
- O. The Sheriff's Office shall confiscate devices that are being used in violation of this Administrative Order. The Sheriff does not need to confiscate all devices capable of taking pictures or capturing sound that are simply brought into courthouses or rooms used for judicial proceedings. Rather such devices shall be confiscated when:
 - 1. The device is being operated without prior approval from the presiding judge in a room where a judicial proceeding is taking place; or
 - 2. The device is being operated to conduct photography or audio or visual recording in an area of the courthouse that is primarily used for ingress to or egress from the interior rooms in the courthouse.

II. PROCEDURES FOR SPECIAL INTEREST/HIGH PROFILE PROCEEDINGS:

- A. The Chief Judge, independently, or at the request of the administrative or trial judge assigned to preside over a proceeding of great public interest, may instruct Court Administration to implement the Special Interest/High Profile Procedures set forth in this Administrative Order.
- B. Upon implementation of these procedures, Court Administration will, as soon as practicable, convene a meeting of interested media representatives for the purpose of creating a media committee to establish protocols for the specific case.
- C. The committee shall consist of at least one print media representative, one television broadcast media representative, and one audio broadcast representative, as well as a member of Court Administration who will act as a liaison between the Court and the media for the duration of the case. Additionally, representatives from Court Technology,

Digital Recording, County Facilities, the Clerk of Court, and local law enforcement may be asked to attend committee meetings as necessary.

- D. The duties of the media committee shall include: Selection of a media representative to act as a liaison between the media and the Court for the duration of the case; designation of the pool camera positions in accordance with Florida Rule of Judicial Administration 2.450; evaluation of parking needs and availability and, if necessary, facilitate a lottery system for media parking; evaluation of available courtroom seating and, if necessary, facilitate a lottery system for media seating in the courtroom; determination of a process for dissemination of information to include timely access to examine and photograph submitted evidence; and identification of other special needs regarding media credentials, staging of equipment, additional power requirements, and any other issue.

Nothing in this Administrative Order shall be construed to limit or impair the authority of the presiding judge, and when warranted, these procedures may be modified to control the conduct of pending proceedings, ensure the fair administration of justice, or ensure public safety.

DONE AND ORDERED this 25th day of October, 2012.

ALAN A. DICKEY

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CHIEF JUDGE

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