

**IN THE CIRCUIT COURT OF FLORIDA, THIRD JUDICIAL CIRCUIT, IN AND FOR COLUMBIA,
DIXIE, HAMILTON, LAFAYETTE, MADISON, SUWANNEE AND TAYLOR COUNTIES**

POLICIES AND PROCEDURES GOVERNING MEDIA ACCESS

Following are the Court's policy guidelines and Florida's Rules of Judicial Administration related to media in the courtroom:

Jury: At no time will any member of the media film, videotape, record or otherwise cause jurors to be included in any footage or recording during the trial process. Violation of this provision will result in the immediate expulsion of the offending party without the opportunity to appeal. Court sanctions may apply.

Security: All members of the media must adhere to established security rules and regulations governing the facility in which the proceeding occurs. Due to security concerns associated with each defendant, Law Enforcement officials may provide specific instructions to the media. Audio and videotaping may not be permitted until the proceeding is officially opened and must cease once proceedings conclude. This recording prohibition includes, but is not limited to, intermittent breaks, intermissions, or recess.

Social Media: Members of the media who are in the courtroom may not post any information to any social media platform while proceedings are in session. This prohibition includes, but is not limited to, information transmitted by e-mail or any other means of communication to another party so they can post on social media while court is in session.

Courtroom Admittance:

(a) The Presiding Judge, Chief Judge, Court Administrator, Sheriff's Department Supervisor or other designee will designate a specific location in the courtroom for the (pool) television camera and the (pool) still photographer. The camera operators must comply with the provisions of Rule 2.450 and 2.451 (herein).

(b) Media personnel may not cover or attend "side bar" conferences and/or "bench" conferences.

(c) The Presiding Judge, Chief Judge, Court Administrator, Sheriff's Department Supervisor or other designee will designate a location outside the courtroom for the (pool) television camera person and (pool) still photographer covering events outside of the courtroom. Said location must be at least 10 feet from the courtroom exit doors and cannot impede the orderly flow of pedestrian traffic in hallways adjacent to the courtroom.

(d) Except as provided herein, no other video cameras, still cameras, or other broadcasting equipment will be permitted in the courthouse, with the exception of equipment used to cover other judicial proceedings.

RULE 2.450. TECHNOLOGICAL COVERAGE OF JUDICIAL PROCEEDINGS

(a) Electronic and Still Photography Allowed.

Subject at all times to the authority of the presiding 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 appellate and trial courts of this state shall be allowed in accordance with the following standards of conduct and technology promulgated by the Supreme Court of Florida.

(b) Equipment and Personnel.

(1) At least 1 portable television camera, operated by not more than 1 camera person, shall be permitted in any trial or appellate court proceeding. The number of permitted cameras shall be within the sound discretion and authority of the presiding judge.

(2) Not more than 1 still photographer, using not more than 2 still cameras, shall be permitted in any proceeding in a trial or appellate court.

(3) Not more than 1 audio system for radio broadcast purposes shall be permitted in any proceeding in a trial or appellate court. Audio pickup for all media purposes shall be accomplished from existing audio systems present in the court facility. If no technically suitable audio system exists in the court facility, microphones and related wiring essential for media purposes shall be unobtrusive and shall be located in places designated in advance of any proceeding by the chief judge of the judicial circuit or district in which the court facility is located.

(4) Any “pooling” arrangements among the media required by these limitations on equipment and personnel shall be the sole responsibility of the media without calling upon the presiding judge to mediate any dispute as to the appropriate media representative or equipment authorized to cover a particular proceeding. In the absence of advance media agreement on disputed equipment or personnel issues, the presiding judge shall exclude all contesting media personnel from a proceeding.

(c) Sound and Light Criteria.

(1) Only television photographic and audio equipment that does not produce distracting sound or light shall be used to cover judicial proceedings. No artificial lighting device of any kind shall be used in connection with the television camera.

(2) Only still camera equipment that does not produce distracting sound or light shall be used to cover judicial proceedings. No artificial lighting device of any kind shall be used in connection with a still camera.

(3) It shall be the affirmative duty of media personnel to demonstrate to the presiding judge adequately in advance of any proceeding that the equipment sought to be used meets the sound and light criteria enunciated in this rule. A failure to obtain advance judicial approval for equipment shall preclude its use in any proceeding.

(d) Location of Equipment Personnel.

(1) Television camera equipment shall be positioned in such location in the court facility as shall be designated by the chief judge of the judicial circuit or district in which such facility is situated. The area designated shall provide reasonable access to coverage. If and when areas remote from the court facility that permit reasonable access to coverage are provided, all television camera and audio equipment shall be positioned only in such area. Videotape recording equipment that is not a component part of a television camera shall be located in an area remote from the court facility.

(2) A still camera photographer shall position himself or herself in such location in the court facility as shall be designated by the chief judge of the judicial circuit or district in which such facility is situated. The area designated shall provide reasonable access to coverage. Still camera photographers shall assume a fixed position within the designated area and, once established in a shooting position, shall act so as not to call attention to themselves through further movement. Still camera photographers shall not be permitted to move about in order to obtain photographs of court proceedings.

(3) Broadcast media representatives shall not move about the court facility while proceedings are in session, and microphones or taping equipment once positioned as required by subdivision (b)(3) shall not be moved during the pendency of the proceeding.

(e) Movement During Proceedings.

News media photographic or audio equipment shall not be placed in or removed from the court facility except before commencement or after adjournment of proceedings each day, or during a recess. Neither television film magazines nor still camera film or lenses shall be changed within a court facility except during a recess in the proceeding.

(f) Courtroom Light Sources.

With the concurrence of the chief judge of a judicial circuit or district in which a court facility is situated, modifications and additions may be made in light sources existing in the facility, provided such modifications or additions are installed and maintained without public expense.

(g) Conferences of Counsel.

To protect the attorney-client privilege and the effective right to counsel, there shall be no audio pickup or broadcast of conferences that occur in a court facility between attorneys and their clients, between co-counsel of a client, or between counsel and the presiding judge held at the bench.

(h) Impermissible Use of Media Material.

None of the film, videotape, still photographs, or audio reproductions developed during or by virtue of coverage of a judicial proceeding shall be admissible as evidence in the proceeding out of which it arose, in any proceeding subsequent or collateral thereto, or upon retrial or appeal of such proceedings.

(i) Appellate Review.

Review of an order excluding the electronic media from access to any proceeding, excluding coverage of a particular participant, or upon any other matters arising under these standards shall be pursuant to Florida Rule of Appellate Procedure 9.100(d).

RULE 2.451. USE OF ELECTRONIC DEVICES

(a) Electronic Devices Defined. An electronic device is any device capable of making or transmitting still or moving photographs, video recordings, or images of any kind; any device capable of creating, transmitting, or receiving text or data; and any device capable of receiving, transmitting, or recording sound. Electronic devices include, without limitation, film cameras, digital cameras, video cameras, any other type of camera, cellular telephones, tape recorders, digital voice recorders, any other type of audio recorders, laptop computers, personal digital assistants, or other similar technological devices with the ability to make or transmit video recordings, audio recordings, images, text, or data.

(b) Use of Electronic Devices by Others.

- (1) The use of electronic devices in a courtroom is subject at all times to the authority of the presiding judge or quasi-judicial officer to:
 - (A) control the conduct of proceedings before the court;
 - (B) ensure decorum and prevent distractions; and
 - (C) ensure the fair administration of justice in the pending cause.

(2) The use of electronic devices in a courthouse or court facility is subject at all times to the authority of the chief judge to:

- (A) ensure decorum and prevent distractions;
- (B) ensure the fair administration of justice; and
- (C) preserve court security.

Cc: Third Circuit Judges
Third Circuit Clerks of Court
Third Circuit Sheriffs
Charles L. Hydovitz, Trial Court Administrator
Third Circuit Judicial Assistants