



IN THE DISTRICT COURT IN AND FOR TULSA COUNTY
STATE OF OKLAHOMA

AO-2018- 8

ADMINISTRATIVE ORDER
PROTOCOL FOR NEWS MEDIA REQUESTING EXTENDED MEDIA
COVERAGE IN TULSA COUNTY DISTRICT COURT

Preface

The increasing use of various electronic devices including phones, tablets, and other wireless communication devices continually challenges a court's legitimate concerns for courtroom security, participant distraction, and decorum. These electronic devices are redefining the news media, the informational product disseminated, and the timeliness of the content. They also result in new expectations for the court and participants for immediate access to information.

Extended media coverage shall not be distracting or interfere with the solemnity, decorum and dignity of the court making decisions that affect the life, liberty or property of citizens. Nothing in this policy shall limit or restrict the power, authority or responsibility otherwise vested in the Trial Judge or the Presiding Judge to: a) control the conduct of any proceeding; b) maintain decorum and prevent distractions; c) guarantee the safety of the courtroom, including any party, witness, or juror, and d) ensure the fair and impartial administration of justice in the pending cause.

Applicability.

The following provisions apply in all cases where a court is issuing specific orders for the use of electronic devices in judicial proceedings. These provisions apply only in those cases where news media have requested extended media coverage, or coverage that is not currently allowed, pursuant to Local Court Rule 9(13) or Local Court Rule 11.

Permission Required for Exception to Rule.

The Presiding Judge or Judge in charge of a particular courtroom may make an exception to local court rules prohibiting live coverage of judicial proceedings. The news and educational media and others — such as a publisher, editor, reporter, or other person employed by a newspaper, magazine, news wire service, television station, or radio station who gathers, receives, or processes information for communication to the public, or an online journal in the regular business of newsgathering and disseminating news or

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information to the public — must request specific permission in advance to use an electronic device to record and transmit public proceedings, including real-time coverage. If permission is granted, use of the permitted electronic device must be in accordance with the following applicable conditions and procedures and such other conditions and procedures as may be required by the Presiding Judge or Judge in charge of a particular courtroom.

(1) The privilege to photograph, record, or provide real-time coverage of court proceedings may be exercised only by those obtaining prior permission of the Court. Video, photography, audio reproductions, and other electronic communications may be used only for the purpose of education or news dissemination.

(2) The judge must be given notice at least seven (7) days in advance of the hearing date of the request to bring cameras, recording equipment, or other electronic communication devices into the courtroom. The judge may waive this requirement for good cause.

(3) The privilege granted by this procedure does not limit or restrict the judge's power, authority, or responsibility to control the proceedings before the judge. The judge's authority to disallow possession of electronic devices at a proceeding or during the testimony of a particular witness extends to any person engaging in the privilege authorized by this rule.

(4) Audio pickup and audio recording of a conference between an attorney and client, or among co-counsel, counsel and opposing counsel, or among attorneys and the judge are prohibited regardless of where conducted. Photographing such a conference is not prohibited.

(5) Focusing on and/or photographing materials on counsel tables or in designated areas is prohibited.

(6) An individual juror may not be photographed. In a courtroom in which photography is impossible without including the jury as part of the unavoidable background, photography is permitted as long as no close-ups identify individual jurors.

(7) The trial judge must prohibit the audio recording and photographing of a participant in a court proceeding if the participant so requests and (a) the participant is a victim or witness of a crime, a police informant, an undercover agent, or a relocated witness or juvenile, or (b) the hearing is an evidentiary suppression hearing, a divorce proceeding, or a case involving trade secrets. Subject to a court directive to the contrary, the news media may record and photograph a juvenile who is being prosecuted as an adult in a criminal proceeding.

(8) The judge may ban cameras, audio recorders, and other electronic communications devices from the entire floor on which a proceeding is conducted.

(9) The court administrator will provide forms for news media to request specific extended media coverage.

(10) A request to photograph, record, or provide live coverage of a court proceeding must be directed to the court administrator.

(11) When more than one television station, still photographer, or audio recorder desires to provide live coverage of a court proceeding, the court administrator will randomly designate a pool photographer and/or audio recorder. If there is a dispute as to the pool designation or the equipment to be used, no audio or visual equipment will be permitted at the proceeding. Requests for copies of audio recordings, video, or photographs must be directed to the pool representative, who will supply copies upon request to media representatives at a price not exceeding actual cost. Pool designations are not necessary for individuals providing text accounts via approved electronic devices.

(12) The trial judge will designate the location in the courtroom for the audio, video equipment, and operators. The court will supervise the location of media equipment within the courtroom. Equipment and operators ordinarily should be restricted to areas open to the public. The equipment and operators, however, must not impede the view of persons seated in the public area of the courtroom. Operators must occupy only the area authorized by the judge and may not move about the courtroom for picture-taking purposes during the court proceeding.

(13) Media equipment must not be placed within or removed from the courtroom except prior to commencement or after adjournment of proceedings each day, or during a recess. Such equipment must not be operated in any manner that disrupts proceedings.

(14) One television camera, operated by one person, and one still photographer, using not more than two cameras, may be authorized in any court proceeding. The judge may authorize additional cameras or persons upon specific request. If a still camera is not manufactured for silent operation, use of a quieting device is required. The court may restrict operation of cameras or electronic devices which emit distracting sounds during court proceedings.

(15) Only audio, visual, or electronic communications equipment that does not produce distracting light or sound may be used to cover court proceedings. An artificial lighting device may not be used in connection with any audio or visual equipment. A modification in the lighting of a district court facility may be made only with the approval of the judge. Approval of other authorities may be required.

ORDERED THIS 30 DAY OF August, 2018.



William J. Musseman, Jr.
Presiding Judge