



ADMINISTRATIVE OFFICE OF THE COURTS
INTER-OFFICE

MEMO 2014-08

TO: Honorable Carolyn Timmann
Honorable Sharon Robertson
Honorable Joseph E. Smith
Honorable J.R. Smith

FROM: Thomas A. Genung, Trial Court Administrator

A handwritten signature in black ink, appearing to be "Tom Genung", written over a horizontal line.

DATE: January 23, 2014

RE: **Administrative Order 2014-05**
Administrative Order Governing Proceedings of General Media
Interest and Procedures for Special Interest/High Profile
Proceedings

Attached please find an original **Administrative Order 2014-05** for filing with the Court.

If you have any questions regarding the above, please do not hesitate to contact me.

TAG/js
Attachment

cc w/attach: All Judges in the Nineteenth Judicial Circuit
All Magistrates and Hearing Officers in the Nineteenth Judicial Circuit
All Staff Attorneys in the Nineteenth Judicial Circuit
Honorable Bruce Colton, State Attorney's Office
Honorable Diamond Litty, Public Defender's Office
All County Attorneys in the Nineteenth Judicial Circuit
All Local Law Libraries
All Local Bar Presidents
IT

IN THE CIRCUIT COURT OF
THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER, MARTIN,
OKEECHOBEE, AND ST. LUCIE COUNTIES, FLORIDA

ADMINISTRATIVE ORDER 2014-05

**RE: Administrative Order Governing Proceedings of General Media Interest and
Procedures for Special Interest/High Profile Proceedings**

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 prompt and efficient administration of justice; and

WHEREAS, the Florida Supreme Court has promulgated rules entitled “Technological Coverage of Judicial Proceedings”; and

WHEREAS, media coverage of public judicial proceedings is 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; and

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

WHEREAS, 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, pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215 and 2.450, it is **ORDERED AND ADJUDGED** as follows:

**I. GENERAL PROVISIONS APPLICABLE TO ALL MEDIA INCLUDING
COVERAGE OF SPECIAL INTEREST/HIGH PROFILE PROCEEDINGS:**

- (a) All representatives of the media must exhibit media credentials at all times.
- (b) All representatives of the media must read this Administrative Order and Florida Rule of Judicial Administration 2.450 governing technological coverage of judicial proceedings.
- (c) All representatives of the media must exhibit proper courtroom decorum, dress appropriately, no eating or gum chewing, and place cell phones in silent mode.
- (d) As outlined in Rule 2.450, only one video camera and operator, one still camera and 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. 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.

- (e) 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 or during breaks. Courtroom video cameras must be operated from a tripod. Cameras and recording devices must operate silently and not produce distracting light. Photographers must position themselves so they do not obstruct the courtroom or as otherwise directed by the judge. Media representatives shall not engage in any movement or discussions during proceeding that attracts undue attention.
- (f) For court proceedings held outside of the courtroom, such as jury viewings of the scene of the crime, the media shall comply with the instructions of the presiding judge and the Indian River, Martin, Okeechobee, and St. Lucie County Sheriffs' Offices.
- (g) Assignment of a video and/or still pool camera is the sole responsibility of the media. The video pool camera operator must provide a pool feed signal for other media entities. All pool audio must be captured by devices supplied by the pool media organization. Placement of microphones must not be obstructive, or impair movement in the courtroom, and must be approved by the presiding judge or her/his designee. Any cabling for pool audio microphones must be properly secured to eliminate any hazards or damage to any courtroom furnishings or flooring. Additional camera lighting is also prohibited in the courtroom.
- (h) In the event that only one media entity is present in the courtroom to capture video images of any proceeding, regardless of whether any other media entity is present at the courthouse facilities, the media entity present in the courtroom must provide a pooled camera feed in the event that other media arrive after proceedings commence.
- (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, between co-counsel of a client, or between counsel and the presiding judge held at the bench. Interviews of jurors after their release from service are at the discretion of the individual juror.
- (k) So as not to interfere with court proceedings or with a litigant or interested party's rights, no interviews shall be permitted in the presence of the jury or any member thereof. 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.

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 continue to act as a liaison between the Court and the media for the duration of the case. Additionally, representatives from facilities, court operations, the Clerk of Court's Office, the Court Technology Department, and local law enforcement may be asked to sit on the committee as deemed 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, access through courthouse security, staging of equipment, laptops in the courtroom, additional power requirements, and any other issue.
- (e) At all times, the procedures set forth in this Administrative Order are subject to 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 in quadruplicate in Stuart, Martin County, Florida this 17th day of January, 2014.



Steven J. Levin
Chief Judge