

THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA
ADMINISTRATIVE ORDER NO. 1.16

**MEDIA COVERAGE AND THE USE OF ELECTRONIC DEVICES
IN THE COURTROOM AND COURT FACILITIES**

In order to consolidate the guidelines for media coverage of court proceedings and to regulate the use of electronic devices in the courthouses of the Eighth Judicial Circuit, in compliance with Rule 2.450, Florida Rules of Judicial Administration (“Technological Coverage of Judicial Proceedings”) and 2.451 (“Use of Electronic Devices”), Florida Rules of Judicial Administration, and

WHEREAS, in addition to the mandatory and discretionary guidelines set forth in Rules 2.450 and 2.451, due to the use of electronic devices by certain individuals, including media attendees involved in or attending court proceedings in the performance of their professional duties or to record such proceedings for further legal proceedings, guidelines should be established for such usage; and

WHEREAS, as prescribed by such Rules, the use of electronic devices in a courthouse or court facility is subject at all times to the authority of the Chief Judge to: 1) ensure decorum and prevent distractions; 2) ensure the fair administration of justice; and 3) preserve court security;

IT IS ORDERED:

1. **Incorporation of Rules 2.450 and 2.451, Florida Rules of Judicial Administration.** Rules 2.450 and 2.451, Florida Rules of Judicial Administration (“Rules”) are hereby incorporated as if fully set forth herein.

2. **Applicability.** The Rules and this Administrative Order are applicable to all court proceedings presided over by judicial and quasi-judicial officers and the use of electronic devices in court facilities.

3. **Definitions.** For purposes of this Administrative Order, the following definitions are hereby adopted:

a. **Electronic Devices** - 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, and any other type of audio recorders, laptop computers, personal digital assistants, tablets, or other similar technological devices with the ability to make or transmit video recordings, audio recordings, images, text, or data.

b. **Media or Professional Journalist** - A person regularly engaged in collecting, photographing, recording, writing, editing, reporting, or publishing news, for gain or livelihood, who obtained the information sought while working as a salaried employee of, or independent contractor for, a newspaper, news journal, news agency, press association, wire service, radio or television station, network, or news magazine.

c. **New Media** - An online organization which was a previously established, independent site that contains regularly updated original news content above and beyond links, forums, troubleshooting tips and reader contributions, said content being thoroughly reviewed by an independent editor before publication. Fan sites, web logs and personal web sites do not qualify as “new media.”

d. **News** - Information of public concern relating to local, statewide, national, or worldwide issues or events.

e. **Presiding Judge** - The judicial officer or quasi-judicial officer who hears and/or decides legal matters in a court proceeding.

f. **Court Proceeding** - Any procedural means wherein the business of the court is conducted.

g. **Quasi-judicial Officers** - Persons who, pursuant to State law or court rules, perform judicial functions under the direction or supervision of a Judge such as General Magistrates, Special Magistrates, Child Support Hearing Officers, and Civil Traffic Hearing Officers.

4. **Limitations regarding use of Electronic Devices during Court Proceedings.**

Subject at all times to the authority of the Presiding Judge:

a. Electronic devices may not be used by anyone for photography, videography, audio recording, or broadcasting unless they have prior approval from the Presiding Judge. Such devices include, but are not limited to cell phones, cameras, digital voice recorders or similar technical devices.

b. Media, court staff, state attorneys, public defenders, attorneys, police officers on duty, and members of the public may use certain electronic devices (i.e., cellphones, pagers) for sending and receiving written information only (i.e., email, text messages, instant messages). All cell phones, pagers, and electronic recording devices must be turned off or switched to silent or vibrate mode. The privilege of cellphone or pager use may be revoked at any time by the Presiding Judge if such use becomes disruptive in any way.

c. In addition to laptops or tablets with virtual or silent keyboards, laptops, or tablets with regular keyboards may be used so long as they do not create distracting noise. The Presiding Judge shall have the exclusive authority to determine whether the sound from the laptop or tablet is distracting. Power for these devices will not be provided in the courtroom.

5. **Limitations regarding use of Electronic Devices in Court Facilities.** Except as set forth in paragraph 9 of this Administrative Order, electronic devices may not be used by anyone

for photography, videography, audio recording, or broadcasting in the hallways and common areas of court facilities, without prior approval of the Chief Judge or the Chief Judge's designee.

6. **Audio-only recorders.** Subject at all times to the authority and prior approval of the Presiding Judge, audio-only recorders (i.e., tape recorders or micro-cassette recorders) may be used by the following individuals:

a. **Professional Journalists** - Professional journalists using audio recorders as a supplement to their written notes as a memory aid, and so they can accurately quote statements made in open court proceedings. Dictation of written notes is prohibited during court proceedings.

b. **Traffic Court Litigants** - Individuals who appear before Civil Traffic Hearing Officers who require a recording of the proceeding in order to pursue redress from an appellate tribunal.

c. **Court Reporters** - Individuals engaged to provide court reporting services using audio recorders as a supplement to their stenographic or digital notes as a memory aid, and so they can accurately quote statements made in open court proceedings.

7. **Media Access.** Professional journalists may request access to the media room and certain other areas in the courthouses or court facilities designated as media areas, may be allowed to use designated media seating in a courtroom, and will be allowed to use electronic devices in the courtroom if authorized by the Presiding Judge.

Persons who do not meet the definition of "professional journalist" may contact the Court's Public Information Officer (PIO) at (352) 384-3012 at least twenty-four (24) hours in advance of the judicial proceeding to obtain approval to use the media room and designated media areas, request inclusion in the designated media setting in a courtroom, and to obtain permission to use certain electronic devices in the courtroom, if authorized by the Presiding

Judge. If any access is granted to such persons, they must follow all the requirements of the Rule 2.450 and this Administrative Order as if they were a professional journalist.

8. **Media Identification.** Professional journalists must display identifying credentials to gain access to media rooms, designated media areas, and to obtain other media privileges. Such identification may either be court-issued or employer-issued identification. Lost court-issued credentials should be immediately reported to the PIO.

9. **Media rooms/areas.** Certain rooms and areas of the courthouses may be designated by the Chief Judge, or the Chief Judge's designee, as media areas on an ongoing or case-by-case basis. These areas are available on a first come, first served basis and may be accessible to professional journalists who display identifying credentials and who have been approved by the PIO. At no point shall persons obstruct points of ingress or egress.

a. In the Alachua County Criminal Justice Center, on-camera interviews may be conducted on the first floor of the courthouse in the public foyer along the west wall near the front entrance; in the public foyer area on the second and third floors at the southernmost section of the hallway near the public telephones; and other areas as may be designated by the Presiding Judge or the Chief Judge. In the Alachua County Family and Civil Justice Center, on-camera interviews may be conducted in the public foyer near the east windows on the first floor.

b. In the Baker County Courthouse, on-camera interviews may be conducted in the northwest corner of the second floor lobby of the courthouse.

c. In the Bradford County Courthouse, on-camera interviews may be conducted in the northeast alcove on the second floor of the courthouse which is adjacent to the elevator.

d. In the Gilchrist County Courthouse, on-camera interviews may be conducted in the judicial wing in the hallway, directly across from Courtroom A.

e. In the Levy County Courthouse, on-camera interviews may be conducted in the foyer which is located just inside and to the left of the main entrance of the courthouse, before the security check area.

f. In the Union County Courthouse, on-camera interviews may be conducted in the east hallway between the front entrance and the entrance to the Clerk of the Court.

g. The designated media rooms or areas will have video feed from the pool video cameras in the courtroom. The use of laptops, cell phones, and other electronic devices is permitted in these designated media rooms and media areas. Electrical outlets in these rooms and areas may be used, but, any multi-plug devices or extension cords will be subject to safety inspections by building management personnel in the court houses or court facilities.

h. The Eighth Circuit is not responsible or liable for laptops, cameras, cell phones, other equipment, or personal property left unattended in the courtrooms, court facilities, media rooms or media areas.

i. Persons using the media rooms or media areas are prohibited from physically (via actual physical network cable) connecting to the Circuit's network or from using the Circuit's equipment. However, a free public wireless network (Wi-Fi) is available to the public at some courthouses, though speed of transmission on these wireless networks is not guaranteed and can degrade if too many users are connected. Accordingly, members of the media are encouraged to bring their own wireless network cards to ensure reliable and fast data transmission for their professional news gathering purposes.

10. **Violations and Enforcement.** Anyone violating the Rules or this Administrative Order will be subject to the discipline of the Court, including, but not limited to, the Court's contempt authority, immediate removal from the courtroom or court facility, prohibition from

returning to the courtroom or court facility, and if a professional journalist, loss of media privileges.

Additionally, court staff or bailiffs shall enforce this Administrative Order by confiscating electronic devices that are being used in violation of this Administrative Order. Such devices shall be returned to the violator at the conclusion of the proceeding or at the close of business, as applicable.

Court staff or bailiffs do not need to confiscate all devices capable of taking pictures or capturing sound that are simply brought into courthouses or court facilities to be used for judicial proceedings. Rather such devices shall be confiscated when:

- a. The device is being operated without prior approval from the Presiding Judge in a courtroom where a judicial proceeding is taking place; or
- b. The device is being operated to conduct photography or audio or visual recording without the prior approval of the Chief Judge or his/her designee in the hallways or common areas, or an area of the courthouse or court facility that is primarily used for ingress to or egress from the interior rooms in the courthouse or court facility.

11. **Delegation of Authority.** The Chief Judge may designate his or her authority regarding court facilities under the Rules of Judicial Administration and this Administrative Order to the Presiding Judge or the Administrative Judges to accomplish the orderly administration of justice.

GENERAL RULES

12. All persons who enter the courthouses and courthouse facilities located in the Eighth Judicial Circuit shall comply with the requirements of Florida Rules of Judicial Administration 2.450 and 2.451. Videographers, photographers, news reporters, and other media personnel shall not obstruct the points of ingress into or egress out of the courthouses and courthouse facilities located in the Eighth Judicial Circuit, and they shall not obstruct or impede, in any way, the progress of persons on their way into, out of, or within the courthouses

and courthouse facilities in the Eighth Judicial Circuit. Such courthouses and courthouse facilities include courtrooms, judicial offices, interior hallways, stairs, and passageways, and exterior stairs and passageways located at:

Alachua County Courthouse Family and Civil Justice Center
201 East University Avenue
Gainesville, Florida

Alachua County Courthouse Criminal Justice Center
220 South Main Street
Gainesville, Florida

Baker County Courthouse
339 East Macclenny Avenue
Macclenny, Florida

Bradford County Courthouse
945 North Temple Avenue
Starke, Florida

Gilchrist County Courthouse
112 South Main Street
Trenton, Florida

Levy County Courthouse
355 South Court Street
Bronson, Florida

Union County Courthouse
55 West Main Street
Lake Butler, Florida

13. Media representatives who plan to film or photograph a court event in any of the courthouses located in the Eighth Judicial Circuit are directed to contact the Public Information Officer of the Eighth Judicial Circuit at (352) 384-3012, at least twenty-four (24) hours in advance of the judicial proceeding they wish to film, for instructions regarding entry into the courthouse, equipment set-up, and courtroom decorum. If circumstances prohibit twenty-four (24) hour notice, media should telephone the Public Information Officer as far in advance of the court event as is possible.

JUDICIAL DISCRETION

14. The presiding Judge has the authority to use his or her sound discretion to establish additional rules relating to courtroom decorum, to modify the standards established by Rules 2.450 and to modify any of the courtroom rules as outlined in this administrative order.

15. Judges contacted by the media may redirect the media representatives to the Public Information Officer of the Eighth Judicial Circuit at (352) 384-3012.

MEDIA COVERAGE IN THE COURTROOMS

16. Media representatives are required to know and comply with the standards established under Rule 2.450.

17. As a professional courtesy, media representatives should not photograph jurors or give the appearance of photographing jurors, or identify jurors until the conclusion of a trial, and then only with their permission. The Presiding Judge may prohibit the photographing of jurors if it is determined that doing so will adversely affect the fairness or integrity of the proceedings.

18. No member of the media is permitted beyond the bar at any time.

19. Media representatives must arrange among themselves pool access through one video camera and no more than two still cameras. In the absence of any pooling agreement, the Public Information Officer will have the discretion to allow videotaping by the first media agency representative who contacts him or her and requests courtroom access. All recording and broadcasting equipment located in a courtroom shall remain turned off until court is in session.

20. The video camera shall be located in the gallery on the same side of the courtroom as the jury box. The still camera photographer(s) shall be stationed in the front row of the gallery.

21. Media representatives must set up all equipment during times when court is not in session, and equipment must remain in place while court is in session in order to avoid disrupting the proceedings. Equipment may be removed when the court is in recess or has been adjourned.

22. Within the foregoing constraints, the Presiding Judge in each division of the Circuit and County Courts is delegated the responsibility for positioning the microphones, still and television cameras, and for regulating the sources of light in the courtroom in which he or she is presiding. The regulation shall accommodate the spirit as well as the letter of the applicable rules.

23. Within the foregoing constraints, during the pendency of the proceedings before him or her, the Presiding Judge in each division of the Circuit and County Courts is delegated the responsibility of temporarily controlling the location and use of audio-visual equipment, including but not limited to overhead projectors, x-ray shadow boxes, videotaping devices, etc., and the responsibility for controlling the visual capability of those seeking to observe the proceedings from the exterior of the Courtroom.

24. Notwithstanding the provisions for the temporary control of the courtroom by the Presiding Judge as indicated above, no permanent alterations shall be permitted in any courtroom without the express consent of the Chief Judge.

ELECTRONIC RECORD

25. The media may request a recording or a transcription of an official court record created by the Eighth Judicial Circuit Court Reporting Department by contacting the Court Reporting Department at 352-384-3080. The Court Reporting Department will provide a price quotation and information regarding redaction of confidential information or requirement for entry of a court order prior to release of a recording or transcript. Official court records created by a private court reporting service must be requested from that court reporting service.

This Administrative Order replaces and supersedes Administrative Order 1.16(v1), entitled "Media Coverage of Judicial Proceedings" dated October 5, 2012.

This Administrative Order shall be effective immediately upon execution, and shall remain in effective until further order of the Court.

ORDERED ON this 26th day of October, 2015.



Robert E. Roundtree, Jr., Chief Judge