

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 2.208- 2/09\*

IN RE: PROCEDURES FOR SPECIAL  
INTEREST/HIGH PROFILE PROCEEDINGS

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"The unhindered and untrammelled functioning of our courts is part of the very foundation of our constitutional democracy," Cox v. Louisiana, 379 U.S. 559, 562, 85 S.Ct. 476, 13 L.Ed.2d 487 (1965). The Florida Supreme Court has said that "a trial court has the inherent power to control the conduct of the proceedings before it, and it is the trial court's responsibility to protect a defendant in a criminal prosecution from inherently prejudicial influences which threaten fairness of [the] trial and the abrogation of...constitutional rights," State ex rel. Miami Herald Publishing Co. v. McIntosh, 340 So.2d 904, 909 (Fla. 1976); and

Florida Rule of Judicial Administration 2.450 (2007), Technological Coverage of Judicial Proceedings, sets forth procedures to govern special interest/high visibility proceedings. Rule 2.450 delineates procedures and special accommodations to ensure full access without compromising the right of any litigant to a fair and orderly trial and to preserve the peace and ensure the safety and security of persons and property.

**NOW, THEREFORE**, pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215, it is **ORDERED** as follows:

1. When the chief judge **and** the judge assigned to preside over a proceeding of great public interest, **have consulted and determined** that the Plan for Special Interest/High Profile Proceedings ("the Plan") should be in effect, the chief judge, or the judge assigned to preside over such proceeding, shall enter a written order implementing the Plan ("Written Order"). As soon as practicable, the court administrator, or designee, shall meet with the trial judge to discuss any specific requests that the trial judge may have regarding the implementation of the Plan. The trial judge shall be notified of any meeting of the Media Committee by the court administrator or designee. A copy of the Written Order shall be distributed by the court administrator to Palm Beach County Sheriff's Office Court Security ("PBSO") and County's Facilities Department ("FDO"). Any changes by the trial judge to the Written Order must be made in writing with copies provided to PBSO and FDO.

*Amended  
2/17/09*

## IMPLEMENTATION PLAN

2. The court administrator is authorized to effectuate the Plan to achieve the goals of the court's Written Order. The court administrator a) shall provide a copy of the Written Order implementing the Plan, and any changes to the Written Order, to the Media Committee and the High Profile Committee and 2) shall post a simple notice near the entrance to the courtroom which states that the Plan is in effect. Notification of the implementation of the Plan will also occur through the Court's website and/or email notification system.
3. The court administrator is authorized, on behalf of the court, to seek the advice, assistance and expertise of any private or governmental entity in the effectuation and implementation of the Plan.

## COURT PRESS OFFICER

4. The court administrator shall designate a member of the court's administrative staff to serve as the court's press officer. This person shall serve as the director of the High Profile Media Center, the liaison between the court and the media, and the liaison between the court, PBSO, and FDO. Additionally, this person shall issue press credentials to members of the media covering the high profile case. The court administrator shall also appoint an acting press officer, who shall act if the court press officer is unavailable at any time. The court administrator will provide the name of the court press officer and court acting press officer to PBSO and FDO at the time the Written Order is provided to PBSO and FDO.

## ESTABLISHMENT OF MEDIA COMMITTEE

5. The court's press officer, upon proper notice, shall convene a meeting of interested media representatives for the purpose of establishing a Media Committee and a High Profile Committee.
6. The Media Committee shall consist of one representative from television, radio, and print media ("Media Committee"). The High Profile Committee shall consist of the trial judge or designee, the trial court administrator or designee, and a representative of PBSO and FDO. The High Profile Committee will work with the Media Committee to meet and effectively execute the Media Committee's decisions.

The Media Committee shall:

- a. Designate (1) the pool television camera person for coverage inside the courtroom, (2) the pool still photographer for coverage inside the courtroom, (3), the pool audio person for coverage inside the courtroom,

- (4) the pool television camera person for coverage outside the courtroom, (5) the pool still photographer for coverage outside the courtroom, (6) the pool audio person for coverage outside the courtroom, (7) the pool print reporter for coverage outside the courtroom, and (8) the pool web videographer for coverage outside the courtroom.
- b. Determine and report to the High Profile Committee the needs of the media center including, but not limited to, the capacity, hours of access, and the furniture and technology amenities desired. The needs of the media center are to be provided to the High Profile Committee in writing unless otherwise agreed to by the Media Committee and the High Profile Committee.
  - c. Allocate, from among those holding court-issued press credentials, courtroom seating assignments in the area reserved for media representatives. This allocation shall be made on a daily basis and shall be reported to the court's press officer. Proper press credentials will entitle the bearer to enter the courtroom and utilize the reserved area.
  - d. Oversee the distribution and dissemination of all pool reports to the media.

The High Profile Committee shall:

- e. Oversee the distribution and dissemination of all court information related to the high profile case that is to be made available to the media.
- f. Work with the media on requests for unique parking needs not otherwise covered by the Administrative Order, and propose solutions.
- g. Work closely with the Media Committee to accommodate other special needs of the media, and to ensure proper security.
- h. Create a written record of its decisions which will be forwarded to the Court Press Officer who will forward it to the trial judge. The trial judge can incorporate the High Profile Committee's decisions into the Written Order (or amendments thereto) implementing the Plan.

### **MEDIA CENTER**

- 7. A High Profile Media Center created for the high profile proceeding will be located in the main courthouse unless the Chief Judge determines otherwise after a hearing at which the High Profile Media Committee and Media Committee were noticed. The hearing may be requested by the Media Committee or the High Profile Media Committee. If the Media Committee determines that the existing media center located on the fourth floor of the courthouse does not meet the needs

of the media for coverage of the High Profile case, FDO will report to the Media Committee, within twenty-four (24) hours of receiving the Media Committee's notice and requirements pursuant to 6b above, areas available in the Courthouse which can be made available to serve as a temporary media center ("High Profile Media Center"). If requested by the Media Committee, FDO can at that time, also identify other available areas that are located in adjacent properties. FDO's report will identify how each area meets or does not meet the needs of the media identified by the Media Committee including the amount of space for tables and chairs and whether remote real time viewing of the court proceedings is possible. The Media Committee shall then select a location for the High Profile Media Center from among the choices identified by FDO. If the spaces identified by FDO are insufficient to meet the reasonable needs of the media, the High Profile Committee will meet with the Media Committee to review the options. This facility, under the supervision of the court's press officer, will be open during normal working hours and for reasonable extended hours to media representatives with court-issued press credentials. Duplicate copies of exhibits and other court documents will be released in this facility by the press officer, and may, in addition, be posted on the court's website. Space for media initiated interviews will also be provided in the High Profile Media Center. Pursuant to Palm Beach County Policy CW-O-024, press conferences are not permitted at the Main Courthouse or at branch courthouses.

### **COURTROOM ADMITTANCE**

8. The trial judge, as designee of the Chief Judge, shall set forth in the Written Order a specified location in the courtroom for the pool television camera person, the pool still photographer, and the pool audio person. The trial judge shall choose a location that preserves a clear egress path from the courtroom for safety reasons. Other than the pool cameras designated in the Written Order, no other cameras shall be operated in the courtroom. These persons shall strictly comply with Rule 2.450, Florida Rules of Judicial Administration (2007), Technological Coverage of Judicial Proceedings, and the orders of the trial judge.
9. Taking into consideration the recommendations by the Media Committee, the High Profile Committee shall decide the location outside the courtroom for the pool television camera person, the pool still photographer, the pool audio person, the pool print reporter and the pool web videographer. No other television cameras, still cameras, or other broadcasting or recording equipment shall be operated directly outside the courtroom. PBSO shall announce the presence of jurors, potential jurors, or witnesses outside the courtroom, and enforce the prohibition of any media commentary or interviews in the presence of jurors, potential jurors, or those witnesses which have not yet testified in the case. The Written Order shall require attorneys to advise witnesses who are to provide testimony that upon their arrival near or outside the courtroom they are to identify themselves to PBSO as witnesses so that they do not remain in the area being

used by the pool media persons outside the courtroom.

10. The trial judge shall designate a specified number of seats in the public area of the courtroom for the following categories of individuals: (a) parties' family, friends and court designees, (b) media representatives, and (c) general public. Categories "a" and "c" will be regulated by the trial court's bailiff or court security deputy. Category "b" will be allocated by the media committee.
11. Admission to the public section of the courtroom shall be gained by presenting a pass which shall be issued on the first floor of the courthouse on a first-come-first-admitted basis. The pass shall be valid for one session only i.e., morning, afternoon or evening. With the exception of court-ordered recesses during a regular session, an observer must surrender the pass on leaving the courtroom.

### **OTHER RELATED ACTIVITIES /REQUIREMENTS**

12. By arrangement with the court's press officer, the courtroom will be made available to the media before the court proceeding, for installation of necessary equipment and cables; however, the court's bailiff, or court security deputy, must be present in the courtroom to supervise all such activities.
13. The Court's security policy requires all persons and equipment entering the courthouse to pass through electronic security devices. Additional case-specific requirements and checks shall be enforced by PBSO to maintain safety and security.
14. The use of laptop computers and personal digital assistants (PDA's), for example: Blackberries and Treos, will be permitted, unless otherwise determined by the trial judge, inside the courtroom but shall not be used as photographic equipment. No recording is permitted in the courtroom other than by designated pool persons, unless specifically permitted by the trial judge or detailed in the trial judge's Written Order.
15. The pool media persons shall be permitted to accompany persons entering and leaving the courtroom for the purposes of media coverage, so long as the individual does not object and the safety and security of persons and property in the courthouse are not adversely affected. No media commentary or interviews shall be conducted in the presence of jurors, potential jurors, or witnesses in the case.
16. All media representatives who are NOT designated pool persons, do NOT hold courtroom access passes and are covering the proceeding which is the subject of the Plan are prohibited from the areas inside or directly outside the courtroom in which the high profile case is pending. All such persons may cover the high

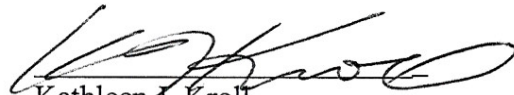
profile proceeding elsewhere in the courthouse, other than the side of the floor on which the high profile case is pending, so long as the safety and security of persons and property in the courthouse are not adversely affected.

17. All facility related inquiries are to be directed to the Business and Community Agreements Manager at FDO at (561) 233-0232. All inquiries relating to court proceedings are to be directed to the Court Press Officer at (561) 355-2431.
18. No temporary structures of any kind may be erected in the areas immediately adjacent to the courthouse without the express permission of FDO.
19. The Court and FDO may rely on PBSO to assist with ensuring compliance with guidelines.
20. Private vehicles may be parked in public parking lots and garages or in metered spots available in the downtown West Palm Beach area. Public parking is available in the Judicial Center Parking Garage. Space in this garage is limited and available on a first-come, first-served basis. No overnight parking is allowed in this garage.

NOTE: Parking in any reserved spaces will result in vehicles being towed.

21. Two parking spaces in the loading dock have been reserved for media/television transmission vehicles during high profile trials. One of the parking spaces will be allotted to the "pool" television station. The allocation of the second parking space will be determined by the Media Committee and the recipient of the parking space must provide any required audio/video feeds to off site media. Offsite satellite trucks must be parked in approved locations. FDO will coordinate parking with the West Palm Beach municipal government as needed.
22. Cables which are placed across sidewalks or streets are to be covered in such a way that they do not impede the flow of vehicular or pedestrian traffic. All cabling must conform to the policies and ordinances of the County and the City of West Palm Beach. All cables must be located so as not constitute a safety hazard or an obstruction to pedestrian traffic.

**DONE and ORDERED** in Chambers at West Palm Beach, Palm Beach County, Florida, this 17<sup>th</sup> day of February, 2009.

  
Kathleen J. Kroll  
Chief Judge

\*supersedes administrative order 2.208-9/08