

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

ADMINISTRATIVE ORDER NO. 2.208*+- 08/2024

IN RE: COURT MEDIA COVERAGE

The technological coverage of judicial proceedings by the media has evolved. At this time there is no uniform, statewide definition for “media” that has kept the pace with the rapidly evolving use of new methods of gathering and disseminating information and news to the public. Accordingly, this administrative order is being entered to effectively facilitate and manage the use of electronic devices and the technological coverage of judicial proceedings by the media.

Pursuant to the authority conferred by Florida Rule of General Practice & Judicial Administration 2.215, it is **ORDERED** as follows:

Definitions

- I. Courthouse facility. For purposes of this Order, “courthouse facility” means any building or structure in which judicial proceedings may be conducted, including, but not limited to: (1) Judge Daniel T.K. Hurley Courthouse, 205 North Dixie Highway, West Palm Beach, Florida 33401; (2) North County Courthouse, 3188 PGA Boulevard, Palm Beach Gardens, Florida 33410; (3) South County Courthouse, 200 West Atlantic Avenue, Delray Beach, Florida 33444; (4) West County Courthouse, 2950 State Road 15, Belle Glade, Florida 33430; (5) Criminal Justice Complex, 3228 Gun Club Road, West Palm Beach, Florida 33406.
- II. Courtroom. For purposes of this Order, “courtroom(s)” means courtrooms, hearing rooms and any other place(s) used to conduct court proceedings, unless specifically stated otherwise.
- III. Media. For purposes of this Order, “media” is defined as: 1) traditional print and broadcast communication channels, such as radio, television, newspapers, and magazines, through which news and information is disseminated that reaches or influences people widely for news, entertainment, or other purposes; 2) motion picture entities, including documentary and independent filmmakers; and 3) the next generation of digital, computerized or networked information and communication technologies, not directly associated with traditional print and/or broadcast media entities and defined as:

An online entity 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 is thoroughly reviewed by an independent editor before publication; has readership or viewership of more

than 1000 per month; and has previously covered the judicial branch for the six (6) months immediately prior to requesting to cover proceedings in this Circuit. Fan sites, web logs or blogs, and portable websites do not qualify as media.

Individuals or entities seeking to be deemed media for the Fifteenth Judicial Circuit must submit a request to the Circuit's Public Information Officer ("PIO") at CAD-PIO15th@pbcgov.org. The PIO will issue an e-mail to those who meet the Circuit's requirements for qualified media. Qualified media must display proper credentials to aid in a determination of who is authorized to use certain equipment and electronic devices in court facilities.

Those who are not deemed "media" by the Circuit will not be authorized to use electronic devices as provided under Florida Rule of General Practice and Judicial Administration 2.450. Instead, those who are not qualified media will be subject to Florida Rule of General Practice & Judicial Administration 2.451 for use of any electronic devices.

Conduct

- I. All media representatives must read this Administrative Order and Florida Rule of Judicial Administration 2.450 governing the technological coverage of judicial proceedings, as well as administrative orders and Rules of Court Procedure governing the use of cellular telephones and other portable electronic devices.
- II. All media representatives should exhibit proper courtroom decorum and dress professionally. Eating, drinking, or chewing gum during court proceedings is prohibited.
- III. No media representative shall enter the well of the courtroom at any time, unless otherwise permitted by the presiding judge, Chief Judge, or Trial Court Administrator.
- IV. Special requests from qualified media to engage in technological coverage of a judicial proceeding must be directed only to the PIO. Media is not authorized to directly contact the judicial assistant, judge, or other court personnel regarding media requests, concerns, or questions. This includes requests to use specialized equipment or requests for special access to court documents. This procedure will allow all media requests to be timely processed in an orderly fashion. The Circuit asks that all requests for media coverage be provided at least 48 hours in advance of the proceeding when possible. This provision shall not be read to limit the media's ability to file any motion in a court case, request access judicial public records, or request in any other appropriate manner to participate in a court proceeding.
- V. The following equipment and personnel of qualified media will be permitted in the courtroom for the technological coverage of judicial proceedings without the requirement

of a special request to the PIO: 1 portable television camera operated by no more than 1 camera person, 1 still photographer using not more than 2 still cameras, 1 audio system for radio broadcast purposes.

- a. Requests for more than one portable television camera in a trial court proceeding must be directed to CAD-PIO15th@pbcgov.org. The request will be provided to the presiding judge for consideration.
- b. Audio pickup for media purposes shall be done using the existing audio system in the court facility. If no technically suitable audio system exists, then a request must be submitted to CAD-PIO15th@pbcgov.org for approval by the presiding judge for the use and placement of alternate systems.
- c. If the qualified media desires to use equipment outside of a portable television camera, still photography, or audio system as described above (i.e. use of laptops, cell phones, tablets, body cameras, computers, etc.) to record, film, photograph, or in any other way memorialize the judicial proceeding for publication, then a request must be submitted in advance to CAD-PIO15th@pbcgov.org. The use of video recording glasses, pens, or other discreet recording devices is expressly prohibited.
- d. The presiding judge, Chief Judge, and the Circuit will NOT mediate or make any rulings upon any pooling disputes amongst members of the media. **IF THERE IS NO ADVANCE MEDIA AGREEMENT ON DISPUTED EQUIPMENT OR PERSONNEL ISSUES, THE PRESIDING JUDGE WILL EXCLUDE ALL CONTESTING MEDIA PERSONNEL FROM THE PROCEEDING.**

VI. Media equipment is subject to search. All set-up and breakdown of cameras and recording devices must be done when court is not in session or during breaks. Media may not set-up once a proceeding has begun and must wait until an appropriate break. Video cameras must be operated from a location designated by the presiding judge, Chief Judge, or Trial Court Administrator. Cameras and recording devices must operate silently and not produce distracting light. Photographers must position themselves in a location as designated by the presiding judge, Chief Judge, or Trial Court Administrator. Media representatives shall not engage in any movement or discussions that attract undue attention.

VII. The Chief Judge will designate a suitable location in the courthouse facility for the media to utilize for filming outside of the courtrooms. Accordingly, in order to ensure decorum and prevent distractions, ensure the fair administration of justice, and preserve court security, PBSO is authorized to direct media filming, broadcasting, photographing, or recording in a corridor, hallway, or lobby in a courthouse facility to the designated media location when appropriate. Qualified media personnel must not obstruct or impede in any way the progress of a person entering or exiting any courtroom, judicial chambers, and office or courthouse entrances.

- VIII. Qualified media MUST submit a request to CAD-PIO15th@pbcgov.org in advance to record an electronic court proceeding (i.e. ZOOM proceeding) when not physically recording in the courtroom via a portable television camera, authorized audio system, or by authorized still photography.
- IX. Media representatives may not record audio of “side-bar” or “bench” conferences. There shall be no in court recording or broadcast while court is in recess, except as may be necessary for members of the media to setup or troubleshoot equipment or to capture the appearance of a litigant entering or leaving the courtroom. To protect the attorney-client privilege, the effective right to counsel, and the due process of all litigants, including victims and the families of victims, there shall be no recording or broadcast of conferences that occur in court between attorneys and their clients, between co-counsel, or between counsel and the presiding judge held at the bench. Upon the conclusion or recess of the proceedings being covered by the media (including after recording a litigant leaving the courtroom) any video or audio recording (including live streaming) shall cease to avoid the inadvertent capture of the aforementioned types of communications. Interviews of jurors after their release from service is at the individual juror’s discretion and must be conducted in a location not otherwise prohibited by this Administrative Order.

Special Interest or High Profile Judicial Proceedings

- I. The presiding judge or the Chief Judge will enter a written order titled “Plan for Special Interest/High Profile Proceedings” [hereinafter, “written order”]. The written order shall be distributed to the Palm Beach County Sheriff’s Office [hereinafter, “PBSO”] and the County’s Facilities Department [hereinafter, “FDO”].
- II. A copy of the written order shall also be provided to all credentialed qualified media. Credential qualified media shall designate members of a media committee consisting of 1 television representative, 1 photography representative, and 1 audio representative. The Circuit’s PIO will contact the designated media committee and schedule a meeting. At the meeting, the media committee shall:
- i. 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.
 - ii. Determine and report to the PIO the needs of the media center including, but not limited to, the capacity, hours of access, and the furniture and technology amenities desired.

- iii. Allocate, from among those holding court-issued press credentials, courtroom seating assignments in the area reserved for media. This allocation shall be made on a daily basis and shall be reported to the court's PIO. Proper press credentials will entitle the bearer to enter the courtroom and utilize the reserved area.
 - iv. Oversee the distribution and dissemination of all pool reports to the media.
- III. The Circuit's PIO shall 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 Trial Court Administrator shall also appoint an acting press officer, who shall act if the PIO is unavailable during the regular hours of court operation. The Trial Court Administrator will provide the name of the court press officer and acting press officer to PBSO and FDO at the time the Written Order is provided to them.
- IV. A High Profile Media Center created for the high profile proceeding will be located in the main courthouse unless the Chief Judge determines otherwise. 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.
 - a. The presiding judge shall set forth in the written order the location of all approved electronic equipment during the proceeding. The written order, after consultation with the Chief Judge, shall also set forth the location of all approved electronic equipment that will record, film, broadcast, or photograph in areas outside of the courtroom.
 - b. The presiding 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 courtroom deputy. Category "b" will be allocated by the media committee.
 - c. Admission to the public section of the courtroom shall be gained by presenting a pass which shall be issued 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 upon leaving the courtroom.

Sanctions

Any person who willfully violates Rule 2.450 or this Administrative Order shall be subject to sanctions, including but not limited to, the court's contempt authority, immediate removal from

the courtroom or courthouse facility, prohibition from returning to the courtroom or courthouse facility, or loss of qualified media privileges.

DONE AND ORDERED in Chambers at West Palm Beach, Palm Beach County, Florida
this 21st day of August, 2024.



Glenn D. Kelley
Chief Judge

*supersedes administrative order 2.208 – 02/2009

+ Due to substantial revisions changes are not bolded.