

STATE OF INDIANA
COUNTY OF MORGAN

) IN THE MORGAN COUNTY COURTS
) CAUSE NO: 55C01-2501- CB-01
CAUSE NO: 55D01-2501- CB-02
CAUSE NO: 55D02-2501- CB-03
CAUSE NO: 55D03-2501- CB-04

**MORGAN CIRCUIT AND SUPERIOR COURTS' POLICY FOR BROADCASTING,
TELEVISIONING, RECORDING OR PHOTOGRAPHING COURT PROCEEDINGS**

I. Definitions.

(A) "News media" is defined as persons employed by or representing a newspaper, periodical, press association, radio station, television station, or wire service and covered by Ind. Code § 34-46-4-1. Members of the general public do not fall under the definition of "news media."

(B) "Presiding judge" means the judge, magistrate, commissioner, referee, or any other judicial officer who is scheduled to preside or is presiding over the proceeding in the Morgan Circuit or Superior Courts.

(C) "Proceeding" means any trial, hearing, motion, argument or other matter held in open court which the public is entitled to attend.

II. General Rule.

Except as provided below, consistent with Indiana Code of Judicial Conduct Rule 2.17, the broadcasting, televising, recording, or taking of photographs in the courtroom and areas immediately adjacent thereto during sessions of court or recesses between sessions is prohibited.

III. Media Coverage.

(A) General Provisions.

(1) Subject to the requirements of this policy, state statute, and Indiana Supreme Court rules, representatives of the media may use video, still cameras or recorders to cover proceedings in the Morgan Circuit and Superior Courts.

(2) Media representatives must give reasonable notice to the presiding judge or his/her designee of a request to cover a proceeding, except for court hearings in which Zoom or other internet platform credentials have been provided in advance. If written notice is required by the presiding judge, the Form attached as Addendum A should be used. In the absence of reasonable notice, the presiding judge may refuse to permit media coverage, after giving due regard for the public and educational benefits flowing from the photographing and recording of court proceedings. The request will be shared with counsel of record and parties who appear without counsel.

(3) The presiding judge may refuse, limit, or terminate media coverage of an entire case, portions thereof, or testimony of particular witnesses as may be required in the interests of justice. The

presiding judge has the power, authority, and responsibility to control the conduct of proceedings before the judge.

(4) No direct public expense is to be incurred for equipment, wiring, or personnel needed to provide media coverage.

(5) Nothing in this policy shall prevent a presiding judge from placing additional reasonable restrictions, or prohibiting altogether, photographing, recording, or broadcasting in the courtroom or in the areas immediately adjacent thereto. The presiding judge may also limit or terminate the broadcast by a representative of the media.

(6) The presiding judge may elect to provide Zoom credentials to a media representative for hearings that are held in whole or in part via Zoom or similar online platform, such as Microsoft Teams or WebEx. Credentials will not allow the media representative to be interactive with the court or the parties, and the media representative shall not attempt to be interactive during a Zoom or other online platform proceeding by verbal or written remarks or other non-verbal communication.

(7) Media representatives shall not use photographs, video, or audio of court proceedings for unrelated advertising purposes.

(8) The Indiana Rules of Professional Conduct for Attorneys and the Indiana Code of Judicial Conduct shall be observed at all times.

(B) Limitations.

(1) Coverage of proceedings which are otherwise closed to the public by state statute or Indiana Supreme Court Rule is prohibited.

(2) There shall be no audio pickup or broadcast of conferences which occur in a courtroom or in the Morgan County Justice Center between attorneys and their clients, between co-counsel of a client, between adverse counsel or between counsel and the presiding judge.

(3) The members of the jury may not be recorded or photographed except when they happen to be in the unavoidable background of other subjects being photographed or recorded. Camera and audio coverage of prospective jurors during selection is prohibited. Close-ups of individual jurors is prohibited.

(4) At no time should the ingress or egress of any individual be obstructed or impeded by media representatives, personnel, or equipment.

(5) Recesses in court proceedings shall not be recorded by audio or visual means nor shall photography be permitted.

(6) The presiding judge may, for cause, prohibit the audio recording and the photographing of a participant with a film, videotape, or still camera on the judge's own motion or on the request of a

participant in a court proceeding. Safety concerns for a witness presumptively constitutes cause for prohibition of recording. The presiding judge shall prohibit the media broadcast of minors; victims of violent offenses, sex offenses, and domestic abuse; jurors; attorney-client communications; bench conferences; and materials on counsel tables and the judicial bench.

(C) Equipment and Personnel.

(1) No more than one television camera shall be permitted in any proceeding. Priority will be given to a television camera intending to broadcast an entire proceeding from beginning to end.

(2) No more than one radio recorder, operated by no more than one person, shall be permitted in any proceeding.

(3) No more than two still photographers, utilizing no more than two cameras and related equipment each, shall be permitted in any proceeding.

(4) If two or more media representatives have given notice under section III(A)(2) above, the presiding judge shall notify the applicants that no coverage may begin until all the representatives have agreed upon a pooling arrangement for their respective news media. Such pooling arrangements shall include the designation of pool operators, procedures for cost sharing, access to and dissemination of material, and selection of a pool representative if appropriate. The presiding judge may not be called upon to mediate or resolve any dispute as to these pooling arrangements.

(5) Equipment or clothing shall not bear the insignia or marking of any media agency. Media personnel operating cameras shall wear appropriate business attire. The presiding judge may require tags or other temporary identification signs, markings, or designations on equipment by media representatives who have been permitted in any proceeding.

(6) Reporters, in the interest of accuracy, may use hand-held recorders that are no more sensitive than the human ear, provided they are not used in violation of this policy or the Indiana Code of Judicial Conduct Rule 2.17.

(D) Sound and Light Criteria.

(1) Equipment shall not produce distracting sound or light. Signal lights or devices to show when equipment is operating shall not be visible. Moving lights, flash attachments, or sudden light changes shall not be used.

(2) Except as otherwise approved by the presiding judge, existing courtroom sound and light systems shall be used without modification. Audio pickup for all purposes shall be accomplished from existing audio systems present in the court facility or from a television camera's built-in microphone. If no technically suitable audio system exists in the court facility, microphones and

related wiring essential for media purposes shall be unobtrusive and shall be located in places designated in advance of any proceeding by the presiding judge.

(3) Court proceedings shall not be interrupted by reporter or technician because of a technical or equipment problem. If any problem occurs, that piece of equipment shall be turned off while the proceeding is in session. No attempt shall be made to correct the technical or equipment problem until the proceeding is in recess or has concluded.


(E) Location of Equipment and Personnel.

(1) The presiding judge shall designate the location in the courtroom for media equipment and operators.

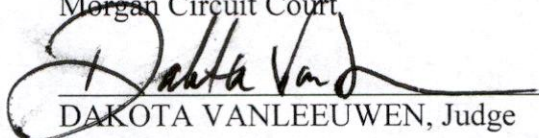
(2) During proceedings, operating personnel shall not move about nor shall there be placement or removal of equipment.

(F) Compliance. Any media representative who fails to comply with this policy shall be subject to an appropriate sanction as determined by the presiding judge.

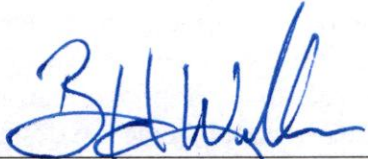
APPROVED BY:



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