

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 533

Amending the Plan for
Media Coverage of Supreme
Court, Court of Appeals,
and Trial Courts of the
State of Alaska.

IT IS ORDERED:

The Plan for Media Coverage governing media activity in the Supreme Court, Court of Appeals, and Trial Courts of the State of Alaska is revised to read:

PLAN FOR MEDIA COVERAGE OF JUDICIAL PROCEEDINGS

This plan for media coverage of judicial proceedings applies to broadcasting, televising, recording, or taking still photographs of proceedings conducted by the Supreme Court, Court of Appeals, Superior Courts, and District Courts in Alaska.

1. Limitations on Coverage [EQUIPMENT AND PERSONNEL].

(a) The presiding judge and area court administrator for each district shall designate for each court location a public area in which media coverage may take place without obtaining prior approval.

(b) No coverage shall be allowed in a courtroom in which court is not in session or in adjacent areas unless prior approval is obtained pursuant to procedures set forth in paragraph 8.

(c) [(a)] No television, radio, or still camera equipment shall be allowed in a courtroom or adjacent areas during a civil proceeding before a trial court or during recesses in the proceeding unless prior permission has been obtained from the judge presiding at the proceeding.

(d) [(b)] No television, radio or still camera equipment shall be allowed in a courtroom during a criminal proceeding before a trial court or during recesses in the proceeding unless prior permission has been obtained from the defendant and the judge presiding at the proceeding.

(e) [(c)] No television, radio, or still camera equipment shall be allowed in a courtroom or adjacent areas during an appellate proceeding in the supreme court or court of appeals or during recesses in the proceeding unless prior permission has been obtained from the court.

(f) [(d)] No television, radio, or still camera equipment shall be allowed [MEDIA COVERAGE IS PROHIBITED] in proceedings involving juveniles, divorce, dissolution of marriage, domestic violence, child support, child custody and visitation, adoption, paternity, and other family matters. For media coverage of proceedings which deal with sexual offenses, the permission of the victim, the defendant and the judge shall be required.

(g) [(e)] Not more than two portable television cameras (or 16mm sound or film cameras), operated by not more than one camera operator each, shall be permitted in a courtroom or adjacent areas in any trial court proceeding or during recesses in the proceeding. In Anchorage, not more than one such camera operated by one camera operator shall be permitted in the hearing room adjacent to the traffic courtroom on the first floor of the "old" court building and in Courtrooms "B", "D", "H", and "K" in the "new" court building unless the judge presiding at a proceeding held in one of these rooms specifically authorizes an additional camera and operator. Not more than two television cameras (or 16mm sound or film cameras), operated by not more than one camera operator each, shall be permitted in a courtroom or adjacent areas in any court of appeals or supreme court proceeding or during recesses in the proceeding.

(h) [(f)] Not more than two [STILL] photographers operating not more than two still cameras each shall be permitted in a courtroom or adjacent areas in any trial court proceeding or during recesses in the proceeding. Not more than two [STILL] photographers operating not more than two still cameras each shall be permitted in a courtroom or adjacent areas in any court of appeals or supreme court proceeding or during recesses in the proceeding.

(i) [(g)] Not more than two audio systems for radio broadcast purposes shall be permitted in a courtroom or adjacent areas in any proceeding or during recesses in the proceeding in a trial court, the court of appeals, or the supreme court [PROCEEDING].

(j) [(1)] Audio pickup for all media purposes shall be accomplished from existing audio systems present in the court facility. The court will provide audio connections for the media at microphone [LINE] level output and limited in trial court proceedings to the microphones located at the witness chair and the jury box, unless otherwise authorized by the judge and counsel for the parties.

(k) [(i)] "Pooling" arrangements among the media required by these limitations on equipment and personnel shall be the sole responsibility of the media without calling upon the court or court personnel to mediate any dispute as to the appropriate media representative or equipment authorized to cover a particular proceeding. In the absence of media agreement on disputed equipment or personnel issues, the court shall exclude all contesting media from a proceeding.

2. Sound and Light Criteria.

(a) Only television and audio equipment which does not produce distracting sound or light shall be employed to cover judicial proceedings. Specifically, such television and audio equipment shall produce no greater sound or light than the equip-

ment designated in Appendix A attached hereto when the same is in good working order. No artificial lighting device of any kind shall be employed in connection with a television camera, and no camera shall give any indication of whether it is or is not operating, such as by use of a red light to note operational status.

(b) Electronic flash or flash cubes, as well as motorized cameras, are prohibited from use in any proceeding. Photographers must use either 35mm single lens reflex or range-finder cameras with shutters no louder than the normal shutter release for a 35mm single lens reflex camera.

3. Location of Equipment and Personnel.

(a) Television camera equipment shall be positioned in such location or locations in the courtroom or adjacent areas as shall be designated by the court or a representative of the court.

(b) A still camera photographer shall position himself or herself in a location in the courtroom or adjacent areas as shall be designated by the court or a representative of the court, and shall take photographs only from that location. The photographer's movements while taking pictures should be unobtrusive, and he or she should not, for example, assume body positions which would be inappropriate for other spectators.

(c) Radio broadcast audio equipment shall be positioned in such location or locations in the courtroom or adjacent areas as shall be designated by the court or a representative of the court.

4. Movement of Equipment During Proceedings.

Television and audio equipment and tripod-mounted still cameras shall not be placed in or removed from the courtroom except prior to commencement or after adjournment of proceedings each day, or during a recess. Neither television film magazines or still camera film or lenses shall be changed in the courtroom except during a recess in the proceeding.

5. Conference of Counsel.

To protect the attorney-client privilege and the effective right to counsel, there shall be no audio pickup or broadcast of conferences which occur in the courtroom or the court facility between attorneys and their clients, between co-counsel of a client, or between counsel and the judge held at the bench.

6. Behavior and Dress.

Media representatives will be expected to present a neat appearance in keeping with the dignity of the proceedings and will be expected to be sufficiently familiar with court proceedings to conduct themselves so as not to interfere with the dignity of the proceedings, or to distract counsel or the court.

7. Credentials.

Media coverage under this plan shall be allowed only by members of the working press and other media representatives as approved by the Administrative Director. Before coverage will be allowed, media representatives shall obtain identification from the Administrative Director after presenting such credentials as may be specified by him. Identification shall be worn at all times when covering judicial proceedings.

8. Procedures for Obtaining Approval.

(a) Media personnel desiring to cover a civil proceeding before a trial court shall submit a request to the Area Court Administrator on a form provided by the Area Court Administrator's Office. The Area Court Administrator shall immediately forward the request to the judge assigned to the proceeding. If no judge has been assigned to the proceeding at the time the request is submitted, the request shall be forwarded immediately after assignment is made.

(b) Media personnel desiring to cover a criminal proceeding before a trial court shall submit a request to the Area Court Administrator on a form provided by the Area Court Administrator's Office. The Area Court Administrator shall immediately forward the request to the judge assigned to the proceeding. If no judge has been assigned to the proceeding at the time the request is submitted, the request shall be forwarded immediately after assignment is made. It shall be the responsibility of media personnel to obtain written consent from the defendant and to submit such consent as part of the request form.

(c) Media personnel desiring to cover a supreme court or court of appeals proceeding shall submit a request to the court through the office of the clerk of the appellate courts on a form to be provided by the [ADMINISTRATIVE DIRECTOR'S] appellate clerk's office.

(d) Television and radio media personnel shall contact the Audio-Visual staff in the Administrative Director's Office at least one day in advance of proposed coverage to insure that all equipment will be set up in accordance with this plan and will meet the sound and light criteria set forth herein. This provision shall be waived only by the Administrative Director or the Presiding Judge.

9. Cessation of Coverage.

In any judicial proceeding for which media coverage has been approved, the court may on the motion of either party or on its own motion order media coverage or photography to cease as to any portions of the proceeding when the interest of justice requires. In trial court proceedings, no witness, party, or juror who expresses to the judge a prior objection shall be photographed by still or moving camera, nor shall the testimony of such a witness, juror, or party be broadcast or telecast. If approval to cover a proceeding has been granted, the court may

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place limitations on media coverage of activity in the courtroom or areas adjacent to the courtroom during recesses in the proceeding or at any other time.

10. Liaison.

The Area Court Administrator shall maintain communication and liaison with media representatives with respect to coverage of trial court proceedings to insure smooth working relationships. The Administrative Director shall provide such liaison with respect to coverage of supreme court or court of appeals proceedings.

11. Suspension of Media Coverage Privileges.

If an individual or organization violates any provision of the media plan, the administrative director may suspend that individual's or organization's media coverage privileges for up to 30 days.

12. [11] Agreement of Media Representatives.

All persons who request and are granted permission to cover a judicial proceeding are subject to this plan and agree to abide by its provisions.

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APPENDIX A

FILM CAMERAS - 16mm Sound on Film (self blimped)

1. CINEMA PRODUCTS	CP-16A-R	Sound Camera
2. ARRIFLEX	16mm-16BL Model	Sound Camera
3. FREZZOLINI	16mm (LW16)	Sound on Film Camera
4. AURICON	"Cini-Voice"	Sound Camera
5. AURICON	"Pro-600"	Sound Camera
6. GENERAL CAMERA	SS III	Sound Camera
7. ECLAIR	Model ACL	Sound Camera
8. GENERAL CAMERA	DGX	Sound Camera
9. WILCAM REFLEX	16mm	Sound Camera

VIDEOTAPE ELECTRONIC CAMERAS

1. Ikegami	HL-77 HL-33 HL-35 HL-34 HL-51
2. RCA	TK 76
3. Sony	DXC-1600 Trinicon
3a: ASACA	ACC-2006
4. Hitachi	SK 80 SK 90
5. Hitachi	FP-3030
6. Philips	LDK-25
7. Sony BVP-200	ENG Camera
8. Fernseh	Video Camera
9. JVC-8800u	ENG Camera
10. AKAI	CVC-150 VTS-150
11. Panasonic	WV-3085 NV-3085
12. JVC	GC-4800u

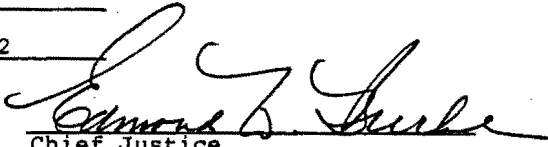
VIDEOTAPE RECORDERS/used with video cameras

1. Ikegami	3800
2. Sony	3800
3. Sony	BVU-100
4. Ampex	Video Recorder
5. Panasonic	1 inch Video Recorder
6. JVC	4400
7. Sony	3800H

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DATED: August 18, 1982

EFFECTIVE DATE: September 1, 1982


Chief Justice


Justice

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Justice


Justice

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Justice

*Justice Connor dissents from this order.

**Justice Compton concurs in this order but would permit media coverage in all matters open to the public.

Informational Note:

[The Plan for Media Coverage, amended by this order, was adopted in Supreme Court Order No. 386, dated September 27, 1979, and amended in Supreme Court Order No. 501, dated February 1, 1982.]

Usual Distribution