

IN THE CIRCUIT COURT OF MORGAN COUNTY, ALABAMA 8th JUDICIAL CIRCUIT

STANDING MEDIA ORDER

To ensure the safety and integrity of the Courts, those involved in the justice system, and the employees of the Court system, it is hereby **ORDERED** as follows:

Broadcasting by television, radio, or other media, or recording or taking of photographs in or of the courtrooms or Clerk's office of the 8th Judicial Circuit is strictly prohibited unless, in the exercise of sound discretion, it is expressly authorized by any of the trial judges of the circuit or by any other trial judge who may be hearing matters in the 8th Judicial Circuit. The operation of any broadcasting, recording, or photography device in the hallways outside of any courtroom or any Clerk's office is strictly prohibited unless expressly authorized by a trial judge who may be hearing matters in the 8th Judicial Circuit.

The restrictions in this Order shall not be applied to investiture, or ceremonial or non-judicial proceedings in the courtrooms of the Morgan County Courthouse.

Each trial judge shall have ultimate and final authority over the proceedings of any Courtroom in the Morgan County Courthouse, including the authority to cease any access previously granted at any time. Said authority includes the area inside the Courtroom, doors and windows leading into and out of a courtroom, and the hallways allowing access to the courtroom.

If a trial judge authorized to allow such recordings or broadcasting of a courtroom or Clerk's office grants such express authorization, the authorization must be in compliance with this Order and Canon 3A(7A) of the *Canons of Judicial Ethics*, as follows:

1. No broadcasting, recording or photographing should detract from the dignity of the court or clerk proceedings.
2. Persons desiring to broadcast, record, or photograph official court or clerk proceedings must make a request to the court, specifying a particular case, hearing or event for which coverage is desired.
3. Consent to cover a proceeding shall be granted pursuant to these rules without partiality or preference to any person, media outlet or type of coverage. Consent may not be given, refused or withdrawn as to one type of coverage to obtain said consents.
4. Once the court grants access to media for coverage of a trial, hearing or other proceeding, the media or other person/entity granted such access shall comply with said order.
5. If the Court allows video or photography, the Court shall allow all photographers, television and radio stations desiring coverage to participate. The court will

permit only one pool video camera and one pool still camera. The news outlet providing the pool camera will share all media with requesting news agencies. The positioning and removal of cameras shall be done as quietly as possible and in no event shall disturb the proceeding of the court. Television cameras will be positioned before such a trial or hearing begins or may be positioned or repositioned during a recess by the court. Only one camera may be visible to the court.

6. Natural lighting must be used by television and photographers. No bright lights, flashbulbs, flashes, or sudden light changes may be used except with the express authorization of the court.
7. All cameras are restricted to the location selected by the Court. Cameras which produce distracting noise or sound cannot be used. Media should expect this location to be outside of the door recording through the small glass window, if allowed at all.
8. All persons covering a hearing, event or trial will avoid activity which might distract and will remain within the restricted areas designed by this Order.
9. Attorneys must observe Disciplinary Rule 7-107, Trial Publicity, *Code of Professional Responsibility of the Alabama State Bar*, which covers the conduct of all attorneys with respect to trial publicity.
10. The trial judge shall immediately suspend or stop any photographing, recording or broadcasting by television, radio, or other media or any recording at any time that a witness who is testifying: the parent or guardian of any testifying witness who is a minor, or a juror, party or attorney expressly objects to the photographing recording or broadcasting by television or radio. In regard to any such cessation of coverage at the request of a witness who is testifying or the parent or guardian of any testifying witness who is a minor, such cessation of coverage shall only be applicable to the photographing or electronic coverage of such witness who expressly objects. Said witness who expressly objects may not be photographed, recorded or televised so long as he is in the courtroom. An objection by a witness shall be deemed to cover an entire trial or proceeding, unless he expressly removed such objection. The objection by a witness who is testifying or the parent or guardian of any testifying witness who is a minor shall not be construed to end photographic or electronic coverage of other aspects of the trial or hearing.
11. All persons who request and are granted permission to cover a hearing, event, or trial are subject to this Order and thereby agree to observe the rules and objectives as set out in it.
12. In the event a trial judge is conducting a trial or hearing in the 8th Judicial Circuit in a place other than the Morgan County Courthouse, this Order shall be followed to the extent possible.
13. When used in this Order, the word "minor" shall mean a person less than 19 years of age.
14. The trial judge may stop such media coverage when, in this discretion, the same interferes with the orderly conduct of the trial or becomes distracting.
15. Any devices allowed in the courtroom for recording, video recording, or otherwise tracking or documenting the actions taken in the Court or Clerk's office shall be approved by the Judge.

16. Reporters may not real time report from the Courtroom; this includes tweeting, blogging, emailing, texting, or other broadcasting by any means.
17. No cameras or recording devices will be permitted during voir dire of the jury venire, a youthful offender trial/hearing, or any stage of a juvenile case.
18. No interviews of jurors shall be permitted during the course of the trial and until the jury returns its verdict. The media shall take special precaution not to televise, photograph or record action or words of the jurors which would bring special attention or special identification to an individual juror during course of the trial and until the jury returns a verdict.
19. The report of a Grand Jury may be covered under this Order if the Court, District Attorney and members of the Grand Jury consent. The consent thereto may be written into the record.
20. No juvenile proceedings or youthful offender requests, hearings, pleas, or trials may be covered by the news media (or any person) under this Order.
21. The news media shall take special precaution not to make comments to or within hearing of the jury or any member thereof at any time during the course of any trial or hearing.

This Order is not intended to preclude the coverage of a trial, event, or hearing by a news reporter or any other person who is not using photographic or electronic equipment but is taking notes or making sketches. If the Court finds it necessary to bar the media from coverage of any trial, event or hearing, the judge presiding over the proceeding may issue a written order stating the legal reason the trial, hearing or event is closed to coverage. If at all possible, the order will be issued prior to the scheduled trial, hearing, or event.

The previously issued Media Order concerning Grand Jury proceedings remains in full force and effect. Coverage of the Grand Jury is subject to criminal penalties as set out therein and in the Alabama Code.

This Order shall remain in effect until modified or superseded by other future Orders of the Court. The original of this Order shall be filed by the Circuit Court Clerk with the minutes and proceedings of this Court.

The Circuit Court Clerk shall provide a copy of this Standing Order to each of the Circuit and District Court Judges of this Circuit, The Probate Judge, the District Attorney, the Sheriff, the Chairman of the Morgan County Commission, and local newspapers and news media outlets who provide coverage of the Morgan County area.

DONE this the 2nd day of May, 2023.

/s/Stephen F. Brown
Stephen F. Brown
Presiding Circuit Judge