

Rules Adopted by the Supreme Court

Media Coverage of Judicial Proceedings

Rule 1001

Media Coverage of Judicial Proceedings

Electronic and Photographic Media Coverage of Judicial Proceedings

The news media and educational television stations may photograph and record public proceedings before the Appellate, District and Municipal Courts of this state in accordance with the following applicable conditions and procedures and with such other conditions and procedures as may be required from time to time by the Supreme Court:

1. The privilege granted by this rule to photograph and record court proceedings may be exercised only by the news media and educational television stations. Film, videotape, photography, and audio reproductions shall be used for the purpose of education or news dissemination only.
2. The privilege granted by the rule does not limit or restrict the power, authority or responsibility of the judge to control the proceedings before the judge. The authority of the judge to exclude the media or the public at a proceeding or during the testimony of a witness extends to any person engaging in the privilege authorized by this rule.
3. Audio pickup and audio recording of a conference between an attorney and client, co-counsel, opposing counsel or attorneys and the judge are prohibited regardless of where conducted. Photographing of such conferences is not prohibited.
4. Focusing on and photographing of materials on counsel tables are prohibited.
5. Individual jurors shall not be photographed. In courtrooms where photography is impossible without including the jury as part of the unavoidable background, the photography is permitted, but close-ups which identify individual jurors are prohibited.
6. As a matter of discretion, the judge may prohibit the audio recording and the photographing of a participant in a court proceeding.
7. The trial judge shall prohibit the audio recording and photographing of a participant in a court proceeding if the participant so requests and (a) the participant is a victim or witness of a crime, a police informant, an undercover agent or a relocated witness or juvenile, or (b) the hearing is an evidentiary suppression hearing, a divorce proceeding or a case involving trade secrets. Notwithstanding the foregoing and subject to condition 6, the news media may record and photograph a juvenile who is being prosecuted as an adult in a criminal proceeding as authorized by K.S.A. 38-1636.
8. No film, videotape, photograph, or audio reproduction of a court proceeding made by the media shall affect the official court record of the proceeding for purposes of appeal or otherwise.
9. The administrative judge shall designate a media coordinator who shall work with the administrative judge, the trial judge and the media in implementing this rule in the District Court.

10. The judge shall be given at least one week's notice of the intention of the media to bring cameras or recording equipment into the courtroom. The judge may waive this requirement upon a showing of good cause, but is not obligated to do so.

11. Members of the media shall not record interviews for broadcast in the hallways immediately adjacent to the entrances to the courtroom if passageways are blocked or judicial proceedings are disturbed thereby. Photographing through the windows or open doors of the courtroom is prohibited. Prior to rendition of the verdict, criminal defendants shall not be photographed in restraints as they are being escorted to or from court proceedings.

12. The judge may ban cameras from the entire floor on which a proceeding is conducted.

13. Requests to photograph or record District Court proceedings shall be directed to the media coordinator. When more than one television station, still photographer or audio recorder desires to cover a court proceeding, the media coordinator shall designate the pool photographer and audio recorder. If there is a dispute as to the pool designation or the equipment to be used, no audio or visual equipment shall be permitted at the proceeding. Requests for copies of audio recordings, video tape or photographs shall be directed to the pool representatives only who shall supply copies upon request to media representatives at a price not exceeding actual cost.

14. The trial judge shall designate the location in the courtroom for the electronic and photographic equipment and operators. Under the general supervision of the Chief Justice, the Clerk of the Appellate Courts shall supervise the location of media equipment, and personnel using the equipment, within the Supreme Court courtroom. The presiding judge of the Court of Appeals panel shall supervise the location of media equipment, and personnel using the equipment, at hearings before the Court of Appeals. Equipment and operators ordinarily should be restricted to areas open to the public. The equipment and operators, however, shall not impede the view of persons seated in the public area of the courtroom. Operators shall occupy only the area authorized by the judge and shall not move about the courtroom for picture taking purposes during the court proceeding.

15. Media equipment shall not be placed within or removed from the courtroom except prior to commencement or after adjournment of proceedings each day, or during a recess. Television film magazines, still camera film and lenses, and audio cassettes shall not be changed within the courtroom except during a recess. A still camera photographer may leave the courtroom with the photographer's still cameras, but may not return for additional photographs except during a recess.

16. One television camera, operated by one person, and one still photographer, using not more than two cameras, are authorized in any court proceeding. The judge may authorize additional cameras or persons at the request of the media coordinator. Automatic film advance devices for still cameras shall not be used in the courtroom. If the still camera is not manufactured for silent operation, use of a quieting device is recommended. The court has the discretion to restrict operation of still cameras which emit distracting sounds during court proceedings.

17. One audio system for radio broadcast purposes is authorized in any court proceeding. Audio pickup for all media purposes shall be made through an existing audio system in the court facility. If no suitable audio system exists in the court facility, microphones and related wiring shall be unobtrusive.

18. Only audio or visual equipment which does not produce distracting light or sound may be used to

cover a court proceeding. Artificial lighting devices shall not be used in connection with any audio or visual equipment. Modifications in the lighting of a district court facility may be made only with the approval of the administrative judge. Approval of other authorities also may be required.

[History: New rule effective September 1, 1988.]