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Digital Video Recording Pilot Project Seeks Courts

The federal Judiciary's pilot to evaluate the effect of cameras in courtrooms is looking for volunteers—district courts that include judges who support and oppose cameras in court—to take part in the three-year experiment.

The pilot to study the use of digital video recording was authorized in September 2010 by the Judicial Conference. The recording of district courtroom proceedings is limited to civil cases and will be recorded by participating courts. The recordings will be made publicly available on www.uscourts.gov and on local court websites at the court's discretion.

"We encourage districts to participate in the pilot project," said Judge Julie A. Robinson (D. Kan.), chair of the Conference Committee on Court Administration and Case Management (CACM). The Conference has given the CACM Committee responsibility for implementing the Digital Video Recording Pilot Project. "We especially want to ensure that judges who hold a range of views on the recording of courtroom proceedings will participate. It is important to the validity of this pilot to include the skeptical as well as the supportive," said Robinson.

The Federal Judicial Center (FJC), the research arm of the federal Judiciary, in collaboration with CACM, will select the project districts.

Since the Judicial Conference action, CACM has been working with the Administrative Office and the FJC on all aspects of the implementation. That includes the selection process for the participating courts, the guidelines for the conduct of the project, the technical and audio-visual equipment requirements of the pilot, and the conduct of the study.

Districts volunteering for the pilot must follow certain guidelines. The pilot is limited to civil proceedings in which the parties have consented to recording. The Federal Rules of Criminal Procedure bar cameras from federal court in criminal proceedings.



Courts in the pilot project will use cameras, like this one, that are compact and unobtrusive.

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The Third Branch Newsletter

"We especially want to ensure that judges who hold a range of views on the recording of courtroom proceedings will participate."

—Judge Julie A. Robinson

Only courts participating in the pilot program may record court proceedings for the purpose of public release. In addition, participating courts must amend their local rules, providing adequate public notice and opportunity to comment.

Under the pilot, the presiding judge will select cases for video recording, although parties to a case or the media also may request video recording of the proceedings. No proceedings may be recorded without the approval of the presiding judge and parties must consent to the recording of each proceeding in a case. The pilot recordings will not be simulcast, but will be made available as soon as possible. The presiding judge can choose to stop a recording if it is necessary, for example, to protect the rights of the parties and witnesses and the dignity of the court, or choose not to post the video

for public view. Coverage of the prospective jury during *voir dire* is prohibited, as is coverage of jurors or alternate jurors.

Funding for the pilot is limited because of the Judiciary's constrained budget; participating courts will be encouraged to use existing videoconference equipment.

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