

## Cameras will be allowed in federal civil courts in Memphis on a trial basis

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WASHINGTON -- The federal courts of the Western District of Tennessee have been selected to experiment with cameras in civil proceedings after clerk Thomas M. Gould made the case that even the courts' reluctant judges would consider trying the change.

The announcement of the 14 districts around the country chosen to take part in the three-year pilot program was made in Washington on Wednesday.

Cameras will be limited to civil proceedings in which all parties have consented to their presence. Federal criminal rules have specifically forbidden cameras in criminal proceedings since 1946, but in an interview Wednesday, Gould predicted they'll migrate to high-profile federal criminal trials eventually because of public demand.

Two courts of appeals -- the Second and Ninth -- now permit cameras in oral arguments after rules were relaxed in 1996.

Gould suggested that the courtrooms and judges of the Western District were selected in part because of his past experience with cameras in courtrooms he managed in Ohio and New Jersey, and in part because the district already has some of the most sophisticated audio-visual capabilities in the country. The lawyers and judges already wear lapel microphones and real-time transcripts are available, he noted.

He also pointed out that the courtrooms are undergoing major renovations.

Gould said the decision of the five active and one senior-status judge to participate in the pilot program was not unanimous and said there may well be a judge or judges who elect not to participate.

"There will be judges who simply don't want it," for practical or philosophical reasons, he said, but he did not identify who in the Western District might be among them.

Under the nine pages of rules accompanying Wednesday's announcement, the video of proceedings will not be simulcast but will be made available "as soon as possible" to those requesting it. The court itself will do the recording and control access to it, not outside parties.

Guidelines suggest at least three but no more than four cameras placed at fixed and inconspicuous locations and trained on the judge, witness, lawyers' podium or

counsel tables. Besides the federal courts in Memphis and Jackson, other districts participating in the pilot include the Eastern District of Missouri (St. Louis), the Middle District of Alabama (Montgomery) and the Southern District of Ohio (Cincinnati, Columbus and Dayton).



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