

**UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

**IN THE MATTER OF)
VIDEO RECORDING OF COURT PROCEEDINGS) LOCAL GUIDELINES
UNDER THE CAMERAS PILOT PROJECT)**

These Local Guidelines supplement the Judicial Conference Committee on [Court Administration and Case Management \(“CACM”\) Guidelines](#) for the Cameras Pilot Project in the District Courts (“CACM Guidelines”) and [Nebraska General Order 2011-07](#).

Participating Judges. All Article III judges are eligible to participate in the pilot.

Proceedings Eligible for Recording. Every civil case proceeding held in Courtroom 2 in Omaha or Courtroom 1¹ in Lincoln presided over by a participating judge and held in open court may be recorded if the presiding judge agrees and the parties consent. Proceedings and matters not eligible for recording are those listed in Section 4(b) of the [CACM Program Guidelines](#).

Notification of Parties. Unless otherwise ordered by the presiding judge, the courtroom deputy will prepare and upload to CM/ECF a “[Notification of Request for Video Recording](#)” when an eligible civil proceeding is scheduled in Courtroom 2 in Omaha or Courtroom 1 in Lincoln. The judge may also request consent to record at a conference with counsel or pro se parties or from the bench.

Consent of Parties. The “[Notification of Request for Video Recording](#)” contains links to 1) these Local Guidelines, and 2) the “[Party Response to Request for Video](#)”

¹ Digital video recording equipment will be installed in Lincoln Courtroom 1 in early 2012.

[Recording](#)” (“Response”) form. Each party must complete a Response and e-mail² it to cameraspilot@ned.uscourts.gov no later than seven days prior to the proceeding, unless the judge orders a different time.

If the parties consent to recording a proceeding, neither the parties’ attorneys nor a witness may prevent the recording. A witness may, however, ask not to be recorded, and a party may move to exempt certain testimony from video recording by filing a [“Request to Exempt Witness\(es\) from Video Recording.”](#) A party may consent to recording all, part, or none of a proceeding. A party may move to withdraw or limit consent at any time before or during a proceeding.

Regardless of party consent, the presiding judge has full discretion to determine that a case proceeding, either in full or in part, should not be recorded. For data collection purposes, parties who do not consent to recording will be asked to describe their reasons. If all parties consent, the clerk’s office will upload to CM/ECF all Responses. If all parties do not consent, the clerk’s office will electronically maintain the Response separate from the official court file. The clerk’s office will not advise the judge which party(ies) did not consent or reveal their reasons for not consenting.

Hearing on Consent. If some or all parties do not consent to recording a proceeding, the judge may hold a hearing, sua sponte or by request, to discuss the parties’ concerns and determine if there are conditions under which the party or parties would agree to recording some or all of the proceeding. This hearing will be on the record but not video recorded.

² Parties may also mail completed forms to the Clerk’s Office, Attention: Cameras Pilot, 111 South 18th Plaza, Suite 1152, Omaha, Nebraska 68102.

Motions to Video Record From Parties or Outside Entities. Parties, the media, or other outside entities may file a motion to video record. The motion should be filed with the clerk's office at least seven days before the date of the proceeding or, for proceedings that arise with little notice, as soon as practicable. The judge will determine whether to deny the motion or to seek consent from the parties under the procedures outlined above.

Data Collection. For each proceeding eligible for video recording, the judge's courtroom deputy will complete and upload to CM/ECF a form stating the judge's reasons for selecting or not selecting the proceeding for video recording. A judge who decides that a video recorded proceeding should not be made publicly available will state the reasons on a form filed in the case.

The clerk's office will provide all Responses, any motions to record or exempt recording, and all related forms to researchers at the Federal Judicial Center who are conducting an evaluation of the Cameras Pilot Project on behalf of CACM.