

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 96-9005

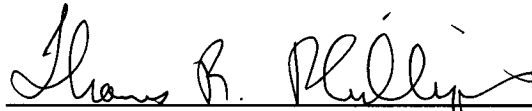
**APPROVAL OF ELECTRONIC MEDIA RULES
FOR THE DISTRICT COURTS OF HARRIS COUNTY, TEXAS
CIVIL TRIAL DIVISION**

ORDERED:

Pursuant to Rule 3a of the Texas Rules of Civil Procedure, the Supreme Court approves the adoption of the Electronic Media Rules for the District Courts of Harris County, Texas, Civil Trial Division, attached hereto.

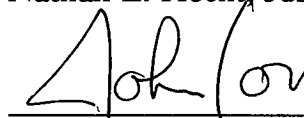
The approval of these rules is temporary, pending further orders of the Court.

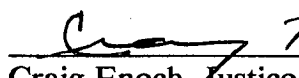
SIGNED AND ENTERED this 3rd day of January, 1996



Thomas R. Phillips, Chief Justice



Raul A. Gonzalez, Justice


Nathan L. Hecht, Justice


John Cornyn, Justice


Craig Enoch, Justice


Rose Spector, Justice


Priscilla R. Owen, Justice


James A. Baker, Justice


Greg Abbott, Justice

Draft: Includes amendments adopted 10-2-95 and 10-9-95 by Harris County; to be submitted to Supreme Court for approval.

ELECTRONIC MEDIA RULES
District Courts of Harris County
Civil Trial Division

1. Policy. The policy of these rules is to guarantee a just, fair, equitable and impartial adjudication of the rights of the litigants and allow an opportunity for electronic media coverage of public civil court proceedings to facilitate the free flow of information to the public concerning the judicial system and to foster better public understanding about the administration of justice. These rules are to be construed to maintain the dignity, decorum, and impartiality of the court proceeding, while at the same time providing the greatest access possible.

2. Definitions. Certain terms are defined for purposes of these rules as follows.

2.1. "Court" means the particular judge or master who is presiding over the proceeding.

2.2. "Electronic media coverage" means any recording or broadcasting of court proceedings by the media using television, radio, photographic or recording equipment.

2.3. "Media" or "media agency" means any person or organization engaging in news gathering or reporting and includes any newspaper, radio or television station or network, news service, magazine, trade paper, in-house publication, professional journal, or other news reporting or news gathering agency.

3. Electronic media coverage permitted.

3.1 In each case, the trial judge shall determine the appropriate scope of electronic media coverage permitted.

3.2 Objections by any party to such scope of electronic media coverage shall be presented to the trial court for ruling..

4. Electronic media coverage prohibited.

4.1. Electronic media coverage of proceedings held in chambers, proceedings closed to the public, jury selection, and jury deliberation is prohibited.

4.2. Conferences between an attorney and client, witness or aide, between attorneys, or between counsel and the court at the bench shall not be recorded or received by sound equipment.

4.3. The restrictions and prohibitions in these rules may be waived by the express consent of the parties and all affected persons, with the approval of the court.

5. Equipment and personnel. The court may require media personnel to demonstrate that proposed equipment complies with these rules, and may exclude from the courtroom any media person who fails to comply with these rules. The court may specify the placement of media personnel and equipment to permit reasonable coverage without disruption to the proceedings. Unless the court in its discretion and for good cause orders otherwise, the following standards apply to the placement and operation of media equipment:

5.1. One television camera, one audio recording machine, and one still photographer are permitted. In appropriate circumstances, the court in its discretion may allow an unmanned second camera into the courtroom.

5.2. Equipment shall not produce distracting sound or light. Signal lights or devices which show when equipment is operating shall not be visible. Moving lights, flash attachments, or sudden lighting changes shall not be used.

5.3. Existing courtroom sound and lighting systems shall be used without modification unless the court specifically approves modification.

5.4. Operators shall not move equipment while the court is in session, or otherwise cause a distraction. All equipment shall be in place in advance of the commencement of the proceeding or session that is the subject of the coverage.

5.5. Media personnel operating outside the courtroom shall not create a distraction and shall withdraw whenever necessary to avoid restricting movement of persons passing through the courtroom door.

5.6. Media logos or proprietary trademarks shall not be displayed on cameras, microphones, other equipment used in court, or clothing or name tags on personnel.

6. Delay of proceedings. No proceeding or session will be delayed or continued for the sole purpose of allowing media coverage. Upon request, the court will inform media agencies of settings and will attempt to make the courtroom available in advance for the purpose of installing equipment.

7. Pooling. If more than one media agency of one type wish to cover a proceeding or session, they shall make pool arrangements. If they are unable to agree, the court may deny all electronic media coverage by that type of media agency, or may designate one agency or one representative as pool coordinator, specifying such other conditions of pool coverage as may be necessary.

8. Official record. Films, videotapes, photographs or audio reproductions made in court proceedings shall not be considered part of the official court record.

9. Enforcement. A violation of these rules by the electronic media may be sanctioned by appropriate measures, including, without limitation, barring the particular person or agency from access to future electronic media coverage of proceedings in that courtroom for a defined period of time.

10. Effective date. Effective _____, 1991; amendment effective January 1, 1996.



**SECOND ADMINISTRATIVE JUDICIAL REGION
OF TEXAS**

**THOMAS J. STOVALL, JR.
PRESIDING JUDGE**

**JUDY MAPLES GEIGER
ADMINISTRATIVE ASSISTANT**

**VIKKI NELSON
REGIONAL DOCKET MANAGER**

**P.O. BOX 40, SEABROOK, TEX. 77586
PHONE (713) 471-3911**

**OFFICE LOCATED: HARRIS COUNTY
COURTHOUSE, LA PORTE ANNEX
117 E. AVE. A, LA PORTE, TEXAS**

October 13, 1995

**Hon. Nathan L. Hecht, Justice
Supreme Court of Texas
P. O. Box 12248
Austin, TX., 78711**

**Re: Regional Rules, Second Region
Local Rules, Harris County Civil**

Dear Justice:

When I sent you the Second Region Rules on October 9, I didn't know of the action of the Board on Civil Division Rules. Enclosed in Attachment A are Media Rules, Attachment B are the revised Civil Rules and C is a clean copy of the enclosure of Regional Rules adopted in San Antonio.

While I am opposed to electronic media in the courtroom, if permitted, these Rules seem fair and contain some safeguards.

In the Civil Rules, Rule 3.2.6. need checking for conflicts with old Rule 330 and Government Code 74 and I have no updated copy available. Rule 3.6 (3) may need the word "plaintiff" after the word "party", else defendants may thumb noses by sheer inaction! Also, the last word, first line of 3.7.1, should be "of" instead of "on". Otherwise, these have my approval.

Should you or the Court have any questions, please call.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas J. Stovall, Jr.", written over a horizontal line.

Administrative Office of the District Courts

Harris County, Texas

Jack E. Thompson
DISTRICT COURT ADMINISTRATOR
Fax No. 755-8973

301 San Jacinto, Room 100
Houston, Texas 77002-2022
713-755-6575

October 10, 1995

Hon. Thomas J. Stovall, Jr.
P. O. Box 40
Seabrook, Texas 77586

Dear Judge Stovall:

Attached are the court rules that were approved by the Board of District Judges for the Civil Division at the regular scheduled meeting on October 10, 1995:

1. Electronic Media Rules of the Civil Trial Division
(Attachment A)

2. Rules of the Civil Trial Division. (Attachment B)

3. Rulse of the 2nd Administrative Judicial Region of
Texas. (Attachment C)

We are respectfully requesting that these rules be transmitted to the Supreme Court for approval.

Sincerely,



Jack E. Thompson

JT:np
Attachment



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK
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JUSTICES
RAUL A. GONZALEZ
NATHAN L. HECHT
JOHN CORNYN
CRAIG ENOCH
ROSE SPECTOR
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT

EXECUTIVE ASS'T
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

January 8, 1996

Mr. Jack E. Thompson
Admin. Ofc. of the Dist. Courts
301 San Jacinto, Room 100
Houston, Texas 77002-2022

Dear Mr. Thompson,

Please find enclosed, copies of orders of the Supreme Court that approve various local rules for courts in Harris County.

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.

cc: Hon. Thomas J. Stovall, Jr.
2nd Admin Judicial Rgn

Hon. David West
269th District Court

District Clerk

County Clerk

Supreme Court Adv Committee

Mr. Jerry Benedict
Office of Court Admin

State Law Library