

FILED

Marilyn Burgess
District Clerk

NOV 02 2021

Time: _____
Harris County, Texas

By: _____
Deputy

NO. 2007-61318

IN THE INTEREST OF

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IN THE DISTRICT COURT

308TH JUDICIAL DISTRICT

HARRIS COUNTY, TEXAS

PGS. 3

TJNOX
DIMEO
SENSX

J.C.L.

**ORDER CONCERNING THE RECORDING
AND BROADCASTING OF COURT PROCEEDINGS**

Rule 18c of the Texas Rules of Civil Procedure, as well as the local rules for "Recording and Broadcasting of Proceedings" as adopted by Civil Trial Division of the District Courts of Harris County, set out the procedures for when and how a court proceedings may be recorded and broadcast by media. The default rule is that the recording and broadcasting of court proceedings are prohibited. See Local Rule 5.1 of the "Recording and Broadcasting of Proceedings" as adopted by Civil Trial Division of the District Courts of Harris County. The Court, upon request, may allow for recording and/or broadcasting of proceedings.

The purposes of requiring court approval are to maintain the dignity, decorum and impartiality of the court proceedings, and to preserve and protect the participants' rights and interests. Further, in high profile cases, it is important to guard against excessive and prejudicial pretrial publicity. This Court takes judicial notice of:

- 1) the unusually emotional nature of the issues involved in these cases; and
- 2) the extensive local media coverage these cases have already generated.

Local Rule 7 of the "Recording and Broadcasting of Proceedings" as adopted by Civil Trial Division of the District Courts of Harris County, addresses how the media may request permission to record and broadcast court proceedings. If more than one media station desires to record or broadcast proceedings, the media is required to make pool arrangements. Rule 7.2.6.

RECORDER'S MEMORANDUM
This instrument is of poor quality
at the time of imaging.

The current pandemic, COVID-19, has added additional layers of complexity to the issues of open courts, public access and the broadcasting of court proceedings. This Court has an obligation to protect the public from the spread of deadly virus while still maintaining rigorous trial proceedings and openness. Even when proceedings are held in person, social distancing greatly limits the number of individuals who can be present in the courtroom at any one time. This Court has chosen to advance the health interests of the participants and the public and the public's interest in their right to know by live-streaming its proceedings, except when the interests of the fair administration of justice dictate otherwise. *See generally, Waller v. Ga.*, 467 U.S. 39, 45-46, 104 S.Ct. 2210, 81 L.Ed.2d 31 (1984).

This Court's choice of openness through livestreaming, however, does not obviate the restrictions placed upon the press or the public prohibiting them from recording and/or re-broadcasting the Court's proceedings without prior court authorization.

This Court has a duty to preserve each party's right to a fair trial by an impartial jury and, if possible, to ensure that potential jurors will not be prejudiced by pretrial publicity. To ensure the fair, orderly administration of justice in these cases and in other cases currently before our sister courts, the Court finds it necessary to issue the following


ORDER:

1. No cameras, sound recordings or sound transmission equipment of any type shall be permitted in the Courtroom or ante chamber of the 308th District Court located on the 8th Floor of the Harris County Civil Courthouse.
2. Members of the public and media personnel outside of the courtroom shall not create distractions and shall avoid restricting movement of persons passing through the halls and/or the doors to the courtroom.
3. Members of the public and media viewing proceedings remotely are prohibited from recording any of the proceedings;
4. Members of the public and media viewing proceedings remotely are prohibited from recording any of the video or audio feed from the proceeding;
5. Members of the public and media viewing proceedings remotely are prohibited from

- recording any of the video or audio feed from the Court's live-stream;
6. Members of the public and media viewing proceedings remotely are prohibited from re-broadcasting any of the video or audio feed from the proceeding or the Court's live-stream.
 7. Any person having notice of this Order who violates it shall be subject to sanctions or contempt pursuant to the Court's inherent powers.
 8. If an individual or employee of a media organization or company violates this Order, they shall be subject to immediate expulsion from the Harris County Civil Courthouse.
 9. All persons employed by a media organization, company or entity shall be presumed to have notice of all the provisions of this Order.
 10. The Court **FURTHER ORDERS** that a copy of this Order is to be posted on the District Courts' Website and distributed to all media outlets.

This Court shall entertain reasonable request, including those from the media to modify this Order as the need arises.

SIGNED: November 2, 2021



JUDGE GLORIA LOPEZ
PRESIDING JUDGE, 308th
JUDICIAL DISTRICT COURT