

**IN THE 113TH JUDICIAL DISTRICT
IN HARRIS COUNTY, TEXAS**

IN RE:

DESHAUN WATSON LITIGATION

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Standing Order No. 2

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

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. 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.

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 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.


To ensure the fair, orderly administration of justice in these cases, the Court finds it necessary to issue the following **ORDER**:

1. No sound recordings or sound transmission of any type shall be permitted in the Courtroom or ante chamber of the 113th District Court located on the 10th Floor of the Harris County Civil Courthouse or any other location that the 113th District Court may conduct proceedings in this matter.
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, ENTERED AND ORDERED this 14th day of April, 2021.



Hon. Rabea Sultan Collier