COURT OF THE JUDICIARY

MEDIA COVERAGE PLAN

The Media Coverage Plan of the Alabama Supreme Court ("the Plan"), as amended March 6, 2018, and attached hereto, is hereby adopted as the Media Coverage Plan for this Court with the following modifications:

1. All references in the Plan to the Clerk of the Alabama Supreme Court are changed to refer to the Secretary of the Court of the Judiciary.

2. References in the Plan to the Alabama Supreme Court are changed to refer to the Court of the Judiciary.

3. Sample forms for requesting media coverage in this Court in compliance with the Plan are attached hereto and substituted for the forms attached to the Plan as adopted by the Supreme Court. The Secretary of the Court shall make these or similar forms available for any person requesting coverage pursuant to the Plan.

DONE this 23rd day of July, 2019.

Scott Donaldson
Chief Judge, Court of the Judiciary

MEDIA COVERAGE PLAN
OF THE SUPREME COURT OF ALABAMA

ADOPTED MARCH 15, 2007
PURSUANT TO CANON 3A(7) AND (7B) OF
THE ALABAMA CANONS OF JUDICIAL ETHICS
AMENDED MARCH 6, 2018

1. Proceedings of the Supreme Court of Alabama held in the courtroom of the Heflin-Torbert Judicial Building ("the HTJB") in Montgomery may be broadcast by television or radio and may be recorded electronically or photographed, if such broadcasting, recording, or photographing is done in compliance with the provisions of this Media Coverage Plan and with Canon 3A(7B), Alabama Canons of Judicial Ethics.

2. No broadcasting, recording, or photographing shall distract from the dignity of the court proceedings.

3. Persons desiring to broadcast, record, or photograph official court proceedings must make a timely written request to the Clerk of the Supreme Court at least five (5) days before the date of the hearing, trial, or event, specifying the particular case, hearing, or event for which coverage is requested. A form for such purpose is attached to this Media Coverage Plan as Exhibit A. The Clerk shall then seek to obtain written consent to media coverage from the parties and attorneys involved in the proceeding as provided in paragraph 4.

4. Written consent from the parties and attorneys shall be obtained on a form provided by and filed with the Clerk of the Supreme Court of Alabama, a copy of which is attached as Exhibit B to this Media Coverage Plan. When a party's or an attorney's written consent to media coverage has been filed with the Clerk, duplicate consent forms for that party or attorney shall not be required for different proceedings in the same case.

5. Court consent to cover a proceeding shall be granted pursuant to this Media Coverage Plan without partiality or preference to any person, media outlet, or type of coverage. Consent to cover a proceeding may not be given, refused, or withdrawn as to one type of coverage, or as to any particular media outlet, and given, refused, or withdrawn as to another type of coverage or another media outlet.

6. No more than four (4) still photographers and three (3) stationary television cameras may be permitted in the courtroom for coverage at any time while a trial or hearing is in session, although fewer cameras may be ordered by the Court or the Chief Justice. However, the Marshal shall allow all photographers and television stations to participate by pooling. The setup, positioning, and removal of cameras shall be done under the supervision of the Marshal, shall not be

done while the Court is in session, and shall at all times be done so as not to disturb the proceedings of the Court.

7. No photographer, videographer, or other media person may enter or leave the courtroom while the Court is in session.

8. The Court, upon request, will permit persons to obtain audio from the Court's recording system on a "first come, first served" basis, if the systems are compatible. The Marshal, in his discretion, may allow microphones and wiring to be placed at the counsel's lectern and at limited locations on the bench. Microphones shall be placed in advance of the trial or hearing and shall be unobtrusive or hidden. All wiring shall be located on the floor next to the wall or along the bottom of the bench, where possible. Otherwise, the wires must be placed where they will not interfere with anyone or constitute a hazard. The Marshal shall inspect the location of any wires and microphones to see that they comply with this Plan. Wiring cannot be removed while the Court is in session, except during a recess.

9. Overhead lighting, when provided for photography, videography, or other purpose, shall be switched on and off by the Marshal. No other lights, flashbulbs, flashes, or sudden

light changes may be used except with the express, advance authorization of the Marshal or the Court.

10. With the exception of those participating by pooling as permitted by paragraph 6 of this Plan, every person desiring to cover a proceeding will furnish his or her own equipment.

11. Television cameras or still cameras that produce distracting noise or sound cannot be used.

12. During sessions of the Court, photographers using still cameras may sit anywhere in the courtroom designated for use by the public and may take pictures; however, the Marshal, upon request of a party, attorney, witness, or Justice, may require photographers to take photographs only in a designated area in the courtroom. At no point may photographers or videographers move about the courtroom while the Court is in session, unless expressly authorized by the Court or the Marshal.

13. Photographers and videographers may not photograph, video, or otherwise record the contents of any documents on the judicial bench, on the Clerk's or Marshal's desk, or on the parties' tables, regardless of whether the Court is in session. The Marshal shall ensure, as much as is practicable, that photographers and videographers are positioned in the

courtroom in such a manner that they cannot view or see such documents. This prohibition does not apply to any document, exhibit, or case material displayed to the Court and/or the persons in the courtroom such as by posterboard, projector, electronic screen, or the like.

14. No live audio or video broadcasting or social-media updates of court proceedings are permitted from inside the courtroom. At the discretion of the Marshal or the Court, such activity may be permissible in overflow rooms or in other public areas of the HTJB.

15. Digital devices may not be used in the courtroom while Court is in session except by attorneys appearing before the Court and their support staff.

16. All media persons covering a hearing, event, or trial will avoid activity that might distract and will remain within any restricted areas designated by the Court or by the Marshal.

17. Nothing in this Plan should be construed to restrict the authority of the Court or the Marshal to designate the location of still and video cameras in the courtroom. Moreover, nothing herein should be construed to restrict the authority of the Court to suspend, in whole or in part, this Media Coverage Plan in special circumstances.

18. In a trial where testimony is taken, any party, witness, attorney, or Justice may request a cessation of coverage by notifying the Court, in which event the Court will require the recording and broadcasting to cease.

19. Attorneys must observe Rule 3.6, Ala. R. Prof. Cond. ("Trial Publicity"), which covers the conduct of all attorneys with respect to trial publicity.

20. This Plan shall not preclude the coverage of a trial, event, or hearing by a news reporter or other person who is not using a camera or electronic equipment, but who is taking notes or making sketches.

21. All persons who request and are granted permission to cover a hearing, event, or trial are subject to this Media Coverage Plan and must agree to observe the rules and objectives set out in in this Plan.

22. In the event the Court is in session at a place other than the courtroom of the HTJB, this Plan shall be followed to the extent possible. In addition to the written request provided for in paragraph 3 of this Plan, additional details regarding coverage of sessions held outside Montgomery must be cleared with the Marshal at least three (3) days before the scheduled event.

23. The restrictions imposed by this Plan are not applicable to the coverage of investitures and ceremonial or nonjudicial proceedings.

24. The Chief Justice, or the presiding officer of the Supreme Court in the absence of the Chief Justice, or the Marshal may impose reasonable time, place, and manner restrictions on interviews or broadcasts conducted outside the courtroom.

Attachments:

Exhibit A: Request for Media Coverage

Exhibit B: Consent of Participating Parties to Media Coverage

EXHIBIT A

REQUEST FOR MEDIA COVERAGE
IN THE SUPREME COURT OF ALABAMA

Name of media outlet: _____

Mailing address: _____ Telephone: _____

Event to be covered (date, time, and place): _____

Type of coverage requested: Audio Recording: ___ Video Recording: __ Radio: __
Television: __ Still Cameras: __ Other: __

Reporters and technicians (please identify all personnel who will be involved; you may attach a separate page if necessary):

_____

_____

Purpose of requested coverage (i.e., instructional, educational, local news, network news, etc.):

_____

_____

I have read and understand the "Media Coverage Plan of the Supreme Court of Alabama." In requesting permission to cover the above-described event, I agree that all media personnel identified above will abide by all applicable provisions of the Plan. I certify that I will obtain all consents required by the Plan before beginning any interviewing, photographing, recording, or broadcasting.

_____
Media Representative

_____
Date

RETURN COMPLETED FORM TO CLERK, SUPREME COURT OF ALABAMA, 300 DEXTER AVENUE, MONTGOMERY, AL 36104-3741

APPROVED: _____ _____
CLERK
SUPREME COURT OF ALABAMA DATE

Note: The Clerk shall notify the Marshal of the Appellate Courts of Alabama of all approved requests.

EXHIBIT B
CONSENT OF PARTICIPATING PARTIES TO MEDIA COVERAGE IN THE SUPREME COURT OF ALABAMA

RE: [*Insert Supreme Court case number and style*]

Pursuant to the Media Coverage Plan of the Supreme Court of Alabama, consent is hereby given by the undersigned to broadcast, electronically record, or photograph the proceedings in the above-styled case in the Supreme Court of Alabama.

_____
Signature of:

Attorney __ for _____
Witness __
Party __

Date: _____