Cause No. 14024

THE STATE OF TEXAS	§	IN THE 266TH JUDICIAL
v.	§	DISTRICT COURT OF
EDDIE RAY ROUTH	§	ERATH COUNTY, TEXAS

ORDER REGARDING MEDIA COVERAGE AND ELECTRONIC DEVICES

During all proceedings conducted in the above styled and numbered cause, the members of the public and the news media are instructed and ordered as follows:

1. **Policy.** The policy of this Court is to allow media coverage of public 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. This ORDER is to be construed to provide the greatest access possible while at the same time maintaining the dignity, decorum and impartiality of the court proceeding by **strictly prohibiting** electronic recording and broadcasting devices inside the courtroom.

2. **Definitions**. Certain terms are defined for purposes of this ORDER 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, on-line news service or other news reporting or news gathering agency.

3. **Electronic media coverage permitted.**
   3.1 Electronic media coverage is NOT allowed in the courtroom except by written order of the court as set out herein.

3.2 Electronic media coverage as set out herein is permitted only after each media representative executes and returns to the District Clerk for Erath County, Texas the "Receipt, Acknowledgement, and Agreement to Terms and Conditions of Order Regarding Media Coverage and Electronic Devices in the 266th District Court of Erath County, Texas." Such receipt shall be signed by each media representative and acknowledge that such media representative has received a copy of this ORDER and that this ORDER is binding upon it. The Court has the discretion to allow, deny, limit or terminate electronic media coverage of a proceeding when it is in the interests of justice to protect the rights of the parties, witnesses, or the dignity of the Court, or to assure the orderly conduct of the proceedings, or for any other reason considered necessary or appropriate by the court.

4. **Certain media coverage prohibited.** Media coverage of the following is prohibited:
   - **4.1** Proceedings held in chambers and proceedings closed to the public.
   - **4.2** Conferences between an attorney and client, witness or aide, between attorneys, or between counsel and the Court at the bench.
   - **4.3** Proceedings held outside the presence of the jury, including but not limited to hearings regarding the admissibility of evidence.
   - **4.4** Jury selection and individual jurors or alternate jurors in the courtroom, in and around the courthouse or Donald R. Jones Justice Center or in the jury deliberation room.

5. **Equipment and personnel.**
   - **5.1** The Court may require media personnel to demonstrate that proposed equipment complies with these rules. The Court may specify the placement of media personnel and equipment to permit reasonable coverage without disruption to the proceedings.
   - **5.2** One television camera and one still camera, with a combined crew of no more than three persons, are allowed. Such equipment must be setup prior to any proceeding or trial at the designated location, otherwise, such equipment will not be allowed.

5.3 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.

5.4 Existing courtroom lighting systems shall be used without modification unless approved by the Court. Microphones and wiring shall be located in places approved by the Court and under no circumstances inside the courtroom.

5.5 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.

5.6 Except as specified in this order, no photographs, pictures, audio or video recordings of any person connected with or participating in the proceedings in this cause whether still, moving, or videotaped shall be made, taken or transmitted in or from any location inside the Donald R. Jones Justice Center, including halls, lobbies, and recess areas, except in areas designated by the court.

5.7 All individuals, including media personnel outside the courtroom, shall not create distractions and shall avoid restricting movement of persons passing through the halls and/or the doors of the courtroom.

6. **Delay of proceedings.** No proceeding or session will be delayed or continued for the sole purpose of allowing media coverage unless allowed by the Court.

7. **Pooling.** In the event that more than one media agency of one type wish to cover a proceeding or session, they shall make pool arrangements and designate a pool coordinator to interact with the Court or the Court's agent. If they are unable to agree, the Court may deny all electronic media coverage by that type of media agency. The following limitations shall apply:

7.1 One pool video camera **without** audio recording capabilities shall be permitted in the foyer to the rear of the 266th District Court courtroom on the left side of the center aisle to photograph/transmit visual images of courtroom proceedings. This camera will be permitted to operate only from

this pre-designated location outside of the courtroom but within the Donald R. Jones Justice Center. No other moving video cameras shall be permitted inside the Donald R. Jones Justice Center.

7.2 All interviews of persons connected with or participating in the proceedings in this cause shall be conducted *outside* the Donald R. Jones Justice Center. No interviews, whether recorded or not, shall be conducted of any person connected with or participating in this cause at *any location inside* the Donald R. Jones Justice Center, unless specifically authorized by the presiding judge.

7.3 Operators shall not cause distractions and all equipment shall be in place thirty (30) minutes in advance of the commencement of the proceeding or session that is the subject of coverage.

7.4 When recording, media personnel shall not use moving lights, flash attachments, or cause sudden lighting changes. Other "still" cameras without flash are permitted from the same location on the right side of the center aisle.

7.5 Photographs, pictures or visual representations shall be limited to the defendant, the attorneys, the judge, and adult witnesses. No photographs, pictures, or video recordings shall be made, taken, or transmitted of any juvenile witnesses or members of the jury.

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

9. **Use of electronic computing and communication devices.** Laptops, tablets, digital recorders, computers, any other device capable of recording or photographing are NOT permitted in the courtroom. **Cellular telephones are NOT permitted at any time.**

10. **Juror contact.** Members of the public and/or the news are prohibited from contacting or interviewing any member of the jury for the trial in this cause before return of the final verdict in the trial on the merits.

11. **Enforcement.** A violation of this order may be sanctioned by appropriate measures, including and without limitation, barring a particular media agency or person from access to future electronic media coverage of proceedings for a

defined period of time, including the remainder of the proceedings. Any person having notice of this Order who violates any condition or provision herein shall be subject to the contempt power of the Court. This order takes effect immediately and remains in effect until expressly terminated by the presiding judge. Each media organization, company or entity that has notice of this order shall be responsible for ensuring that its employees have notice of all the provisions of this Order.

SIGNED AND ORDERED this 2 day of Feb 2015.

JASON C. CASHON
266TH Judicial District Court
Judge Presiding

RECEIPT, ACKNOWLEDGMENT, AND AGREEMENT TO TERMS AND CONDITIONS OF ORDER REGARDING MEDIA COVERAGE AND ELECTRONIC DEVICES IN THE 266th DISTRICT COURT~ERATH COUNTY, TEXAS

I, _____, in my individual capacity, as a duly authorized agent for _____ (name of media agency), hereby acknowledge I have this date received a true and correct copy of the Order Regarding Media Coverage and Electronic Devices in The 266th District Court – Erath County, Texas (herein after referred to as "Guidelines"). I further state that I have read and understand all the terms, conditions, and provisions of said Order and guidelines. I further specifically agree to abide by all the terms and conditions, and provisions of said Order and guidelines and such other orders which the Court may enter with respect to the privilege to photograph, record, and broadcast in the 266th District Courtroom.

Signed this the _____ day of _____, 2015.

_____ _____

Individual – Signature Individual - Print Name

Individually and in my duly authorized representative capacity as _____ of the Media Agency _____

_____ _____

Address, Street, City, Zip Name of Supervisor, if any

_____

Phone