

18 R 52D

26<sup>TH</sup> JUDICIAL DISTRICT LOCAL RULES GOVERNING PHOTOGRAPHY, FILMING AND AUDIO RECORDING WITHIN THE MECKLENBURG COUNTY COURTHOUSE (SUPPLEMENTING N.C. SUPREME COURT ORDER RE: ELECTRONIC MEDIA/STILL PHOTOGRAPHY COVERAGE OF PUBLIC JUDICIAL PROCEEDINGS, Rule 15 of the General Rules of Practice for Superior and District Courts, IN PERTINENT PART)

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MECKLENBURG COUNTY, N.C.

I. General Application Process for Photographing, Filming and Audio Recording

- 1. There is one application form that can be submitted to allow the use of electronic equipment in the courthouse:  
*Application to Photograph, Film or Audio Record within the Courthouse for Recording or Presentation Purposes*
- 2. Application to photograph, film or audio record in a trial courtroom or other area of the courthouse must be made to the Community Access and Outreach Administrator for the Trial Court Administrator's (TCA) Office. Such application must be in writing and must designate the trial/office/area where photographing, filming and audio recording will occur. (See Section IV for special instructions concerning the use of still photography, audio or video recording equipment within the Clerk's or Sheriff's Offices).
- 3. Upon approval or denial of the trial judge or TCA, the Community Access and Outreach Administrator will notify the Applicant of the decision. (See Section IV for special instructions photographing, filming and audio recording within the Clerk's or Sheriff's Offices).
- 4. These rules apply to photographing, filming and audio recording official business activities inside the courthouse during business hours. Filming non-business related activities after regular business hours and on weekends does not require any authorization.
- 5. The trial judge or TCA will be sole and final interpreter of these rules. His/her decision is final.

II. Policies Pertaining to Media Representatives

- 1. STILL CAMERAS AND AUDIO AND VIDEO RECORDING DEVICES UTILIZED BY THE MEDIA IN FURTHERANCE OF THEIR PROFESSIONAL ROLE ARE PROHIBITED WITHIN THE COURTHOUSE ABSENT EXPRESS APPROVAL THROUGH THE SPECIFIED APPLICATION PROCESS.
- 2. ALL MEDIA REPRESENTATIVES MUST SUBMIT A COPY OF THE FORMAL APPLICATION AND COURT ORDER (attached) AT LEAST SEVENTY-TWO (72) HOURS BEFORE THE BEGINNING OF JURY SELECTION AND/OR RECORDING/FILMING EVENT.
- 3. Subject to the approval of the presiding trial judge, photographing, filming and audio recording are only allowed in the trial courts and Superior Criminal administrative courtrooms (currently designated 5310 and 5350). No photographing, filming and/or audio recording are allowed in the District Court first appearance courtrooms (currently designated 1130 and 1150) or District Court first appearance courtrooms for Domestic Violence (currently designated 4110 and 4130).

4. Photographing, filming and audio recording are not allowed in the corridors, offices, conference rooms, childcare area, cafeteria, security area, jury assembly room, stairwell, elevators, or any other areas of the courthouse. Exceptions are rare but will be considered on a case-by-case basis and upon formal application.
5. If allowed to film inside a trial courtroom during a trial/proceeding/hearing, the media may utilize one camera (each), video or shutter, per courtroom.
6. The location of all microphones in the trial courtroom must be approved by the trial judge or TCA in advance of trial.
7. All cameras, both video and shutter, must be in a fixed location in the trial courtroom. All cameras must be silent. Any camera being a distraction will be removed.
8. THERE WILL BE NO PANNING OR OTHER PHOTOGRAPHY OF THE JURORS OR AUDIENCE.
9. THERE WILL BE NO PHOTOGRAPHING OF ANY WITNESS UNDER THE AGE OF SIXTEEN (16) YEARS.
10. Photography/filming/audio recording will be allowed ONLY:
  - a. During opening statements of counsel; and
  - b. During testimony from witnesses; and
  - c. During closing argument of counsel; and
  - d. During jury charge and verdict.
11. Cameras/audio recording devices will be turned off at all other times during the trial/hearing/proceeding and no photography/filming/audio recording will be allowed. The trial judge may modify this section, in writing, on a case-by-case basis.
12. Movement by reporters and/or camera operators in and out of the courtroom should be limited during the trial.
13. Reporters and/or media personnel are not to walk past the 'bar' area in the courtroom to confer with attorneys, judges, and/or court personnel before, during or after court without the express permission of the Court. Reporters are restricted to the spectator area of the courtroom and are to hold conversations in this area, the conference room outside the courtroom, or in the hallway outside the courtroom.
14. Only the trial judge can authorize photography, filming or audio recording within a particular courtroom while court is in session.

- 15. In the event of multiple applications, the Community Access and Outreach Administrator will coordinate consideration of the requests and arrangements upon approval.
- 16. All television, radio and print media outlets shall familiarize their reporters, photographers and cameramen with the policies set forth herein. A violation of any of these policies may result in contempt proceedings against an offender and/or the banning of a media outlet from all future photography or recording within the courthouse.

**III. Policies Pertaining to Jurors, the General Public, Attorneys, and Court Employees**

- 1. Cameras, video recording equipment, audio recording devices, and other electronic equipment may be brought into the Mecklenburg County Courthouse. Absent the completion of the formal application and approved accompanying Court order, however, taking photographs, filming or recording of audio by means of cameras, cell phones, smart phones, tablets or ANY other electronic/mechanical device is prohibited. Violators of this rule are subject to the contempt powers of the Court.
- 2. The filming of commercial advertisements for public or private organizations and/or individuals for television and/or websites is prohibited anywhere inside the courthouse.
- 3. The filming of campaign advertisements for television, social media, and/or websites or taking photographs for campaign advertisements for print, social media, television, and/or websites is prohibited anywhere inside the courthouse with the exception of personal offices.

**IV. Policies Pertaining to Photographing, Filming and Audio Recording *Within the Clerk's or Sheriff's Offices***

- 1. Application may be submitted directly to the Clerk's or Sheriff's Office in which Applicant is to photograph, film and audio record. An agency representative will contact Applicant with the decision.
- 2. Applications to cover public hearings that are scheduled in a hearing room should also be submitted to the Clerk's Office for approval.

This ORDER and Supplemental Rules for the 26<sup>th</sup> Judicial District will be reviewed from time to time. This the 20 day of March, 2018.



Regan A. Miller  
Chief District Court Judge



William R. Bell  
Senior Resident Superior Court Judge