

**37.0 MEDIA**

(A) DEFINITIONS, APPLICATIONS

- (1) For purposes of these rules, the term "media recording" shall be understood to encompass broadcasting, televising, recording, or photographs. The term "trial" shall be understood to apply to any public hearing held by the Court.
- (2) Application for media recording shall be made in writing to the assigned judge in the case prior to the commencement of the trial. No special form of application will be required, but the application must specify the type of equipment to be used, and must identify and be signed by the applicant. The "pooling" required by Superintendence Rule 12(B) for Courts of Common Pleas shall be accomplished prior to submission of the application. The positioning of the cameras shall be at a location to be determined by the trial judge.
- (3) In the event the judge approves the application, he shall prepare and sign a journal entry setting forth the conditions of media recording and such journal entry shall be made a part of the record of the case. Before preparing the journal entry, the judge shall confer with media representatives regarding the positioning of the operators and equipment.
- (4) The journal entry shall state whatever portions of the trial shall not be open to media recording. In the event that at any time subsequent to the signing and filing of the journal entry the judge shall decide to withhold media recording of any part of the trial, such decision and order shall be entered into the record of the case.
- (5) In the event of a continuance of the trial for a period of more than thirty (30) days, a new application shall be required.
- (6) At any arraignment room session, application in writing may be made anytime before the session. The Court may give permission for the reporting or recording of any portion of the session without a formal journal entry. Positioning of any equipment shall be at the complete discretion of the arraignment room judge.

(B) LIMITATIONS

- (1) Any equipment which is non-portable shall be set up and ready for operation prior to the commencement of Court sessions. In no event will persons be permitted to bring equipment into the courtroom during trial unless such equipment can be easily carried by a single person and without causing distraction or disturbance.
- (2) No media recording of proceedings in the judges' chambers or accesses shall be permitted except with the express permission of the judge. No media recording shall be permitted in jury deliberation rooms at any time during the course of the trial or after the case has been submitted to the jury. No pictures of jurors may be taken at any time.
- (3) Audio equipment shall be so controlled that it will not pick up conferences or conversations between counsel and client, between counsel and the judge at the bench, or between counsel and official Court Reporter as in the case of a proffer.
- (4) The judge, counsel, and witnesses shall not address any remark to the media when the Court is in session. In all respects, the trial shall proceed in exactly the same manner as though there were no media recording in process.

Cuyahoga County Common Pleas Court Local Rules

- (5) No media recording shall be made of any document or exhibit before or after such document or exhibit is admitted into evidence, except those which are clearly visible to spectators, e.g., maps, charts, blackboards, etc.
- (6) The judge shall inform victims and witnesses of their right to object to being filmed, videotaped, recorded or photographed. Upon objection the media are prohibited from employing any means to record the victim or witness.
- (7) No photographic or electronic equipment may be used in the courtroom which causes distracting sound or light.

(C) SANCTION

- (1) Upon failure to comply with the orders of the judge or with Superintendence Rules for Courts of Common Pleas the Judge may revoke any permission previously granted.

*Effective 03/12/1996.*