

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT  
STATE OF ILLINOIS**

**In the Matter of  
Extended Media Coverage  
in the First Judicial Circuit  
of the State of Illinois**

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**FILED**

OCT 31 2012

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**ADMINISTRATIVE ORDER  
12-11-1**

*Stuart Hall*  
CLERK OF THE CIRCUIT COURT

The First Judicial Circuit of the State of Illinois has received approval from the Illinois Supreme Court to permit extended media coverage on an experimental basis, in accordance with Illinois Supreme Court Order M.R. 2634,

**IT IS HEREBY ORDERED AS FOLLOWS:**

**Section 1.0-A: (To be read in conjunction with Supreme Court Policy Section 1.0)**

Extended media coverage may be allowed in the First Judicial Circuit of the State of Illinois, in strict compliance with the express terms of the Illinois Supreme Court's Policy for Extended Media Coverage in the Circuit Courts of Illinois.

This Administrative Order is subject to revision or termination at any time and without advance notice.

The Presiding Judge of each county within the First Judicial Circuit is authorized, and shall have the absolute discretion, to order that the circuit court of their individual county "opt out" of participation in the pilot program.

Within 90 days of the date of the entry of this Administrative Order, and at least annually thereafter, the Court Media Liaison shall invite the Media Coordinator to meet at each courthouse in the First Judicial Circuit participating in the pilot program, to physically inspect the courtroom(s) and available facilities.

The Chief Judge, the Presiding Judge of the County, the County Board Chairman of the County, the Sheriff of the County, and appropriate representatives of the Administrative Office of the Illinois Courts shall be notified and invited to attend the meeting and inspection. The Media Coordinator may invite two other representatives of the news media to attend the inspection and meeting.

The purpose of the meeting and inspection shall be to share information and to attempt to reach consensus on the best way, given financial, physical or other restraints, on how best to implement and facilitate the Supreme Court Policy on Extended Media Coverage and this Administrative

Order in that county.

Following each meeting and inspection, "Operational Guidelines" shall be drafted and approved for that county by the Media Coordinator, Court Media Liaison, Presiding Judge, and Chief Judge. Approval of these "Operational Guidelines" shall be a prerequisite for any request for extended media coverage in that county.

For purposes of clarity and consistency, this order shall be published with an attachment, consisting of a copy of the Supreme Court Policy, with the specific provisions of this Administrative Order inserted in the appropriate sections of the Supreme Court Policy.

***Section 1.2-A: (To be read in conjunction with Supreme Court Policy, Section 1.2)***

The Court Media Liaison shall direct the news media to their assigned location.

Members of the news media shall remain stationery and shall make no comments during judicial proceedings or while the jury is in the courtroom.

Members of the media shall not conduct interviews in the courtroom.

Members of the news media shall not, by photograph or video, focus on any materials on counsel tables, materials on evidence carts, or materials that have not yet been presented as evidence or published to the jury.

Members of the news media shall not photograph, video, or record the jury, any prospective juror, or any spectator to the judicial proceedings.

The judge may order the news media to install any manner of temporary courtroom alterations including, but not limited to, a screen or divider to conceal the jury from the view of recording equipment.

Nothing in this order shall preclude coverage of judicial proceeding by other members of the news media who have not been granted permission for extended media coverage.

***Section 1.3(a)-1: (To be read in conjunction with Supreme Court Policy Section 1.3(a))***

A single representative acting on behalf of all news media organized shall be selected to organize and submit requests for extended media coverage and administer all aspects of extended media coverage for the news media. The media coordinator shall be selected by and among representatives of the news media and shall be approved by the Chief Judge.

The First Circuit Trial Court Administrator, or another designated by the Chief Judge, shall serve as the court media liaison. The court media liaison shall work with the media coordinator on all matters pertaining to extended media coverage.

The Court Media Liaison will work with members of the news media to locate and secure sufficient space to facilitate extended media coverage. Priority of available space outside the courtroom(s) being utilized for judicial proceedings shall remain, as it has, historically, with and as required by the actual participants in the judicial proceedings, for conferences between attorney and client, opposing attorneys, and for witness preparation.

**Section 1.3(b)-1 (To be read in conjunction with Supreme Court Policy Section 1.3(b))**

Requests for extended media coverage, objections, and other pleadings, shall be filed in the office of the Circuit Clerk for the county in which the proceedings are pending.

Upon the filing of a request for extended media coverage, the Circuit Clerk shall, as soon as practicable thereafter, but in no event later than the end of that day, notify the Chief Judge, the Presiding Judge of the County in which the proceedings are pending, the judge expected to preside, and the court media liaison, and provide courtesy copies of the request and supporting materials to each.

In addition, the Circuit Clerk shall provide timely written notice of all filed requests for extended media coverage, objections, objections and other pleadings to the media coordinator, all counsel of record, and parties appearing without counsel.

The judge shall enter a written order on all requests for extended media coverage specifying the scope of coverage permitted. An order for extended media coverage shall be effective for all subsequent proceedings until the conclusion of the involved cases(s) or as otherwise ordered by the court and subject to ruling on any filed objections.

Calendar days shall be used for the purpose of calculating the time frames for the filing of requests and objections

**Section 1.3-A: (To be read in conjunction with Supreme Court policy Section 1.3)**

All requests for extended media coverage, objections, and orders shall be made on forms identical to forms prepared and provided by the Office of the Chief Judge of the First Judicial Circuit.

**Section 1.4-A: (To be read in conjunction with Supreme Court policy Section 1.4)**

Parabolic or other highly sensitive long range microphones are prohibited.

Audio or video recording by cell phone, or by any concealed device, or any other device not approved by the judge in advance of the proceedings, is prohibited.

Internet access devices may be utilized by members of the media to facilitate extended media coverage, with prior approval of the judge, but only to the extent such devices may be operated

silently.

***Section 1.5-A***

In addition to contempt and any other sanctions allowed by law, the judge, or the Presiding Judge of the county, or the Chief Judge may remove anyone violating the Policy for Extended Media coverage or this Administrative Order, from the courtroom, and revoke the privileges for extended media coverage.

If any member or the news media fails to comply with the conditions set forth in the Policy for Extended Media Coverage or this Administrative Order, or any other order imposed by the judge, the Presiding Judge of the county, or the Chief Judge, restrictions may be imposed by the judiciary on the dissemination, broadcast and/or publication of extended media coverage.

Entered this 1<sup>st</sup> day of Nov., 2012.

  
Chief Judge Mark Clarke

**ATTACHMENT TO FIRST CIRCUIT ADMINISTRATIVE ORDER 12-11-1**

**ILLINOIS SUPREME COURT POLICY FOR  
EXTENDED MEDIA COVERAGE IN THE CIRCUIT COURTS OF ILLINOIS**

**1.0 Media Access**

Upon application and approval by the Supreme Court of Illinois, a judicial circuit of the circuit courts of Illinois may allow extended media coverage of public judicial proceedings on an experimental basis in accordance with the provisions of this policy.

The coverage shall be subject, at all times, to the authority of the judge presiding at the proceeding. Extended media coverage shall not be distracting or interfere with the solemnity, decorum and dignity of the court making decisions that affect the life, liberty or property of citizens.

Nothing in this policy shall limit or restrict the power, authority or responsibility otherwise vested in the chief judge of the circuit; and the judge presiding to: a) control the conduct of any proceeding; b) maintain decorum and prevent distractions; c) guarantee the safety of the courtroom, including any party, witness, or juror and d) ensure the fair and impartial administration of justice in the pending cause.

***First Circuit Adm. Order 12-11-1: Section 1.0-A:***

***Extended media coverage may be allowed in the First Judicial Circuit of the State of Illinois in strict compliance with the express terms of the Illinois Supreme Court's Policy for Extended Media Coverage in the Circuit Courts of Illinois.***

***This Administrative Order is subject to revision or termination at any time and without advance notice.***

***The Presiding Judge of each county within the First Judicial Circuit is authorized, and shall have the absolute discretion to order that the circuit court of their individual county "opt out" of participation in the pilot program.***

***Within 90 days of the date of the entry of this Administrative Order, and at least annually thereafter, the Court Media Liaison shall invite the Media Coordinator to meet at each courthouse in the First Judicial Circuit participating in the pilot program, to physically inspect the courtroom(s) and available facilities.***

***The Chief Judge, the Presiding Judge of the County, the County Board Chairman of the county, the Sheriff of the county, and appropriate representatives of the Administrative Office of the Illinois Courts shall be notified and invited to attend the meeting and inspection. The Media Coordinator may invite two other representatives of the news media to attend the inspection and meeting.***

*The purpose of the meeting and inspection shall be to share information and to attempt to reach consensus on the best way, given financial, physical or other restraints, on how best to implement and facilitate the Supreme Court Policy on Extended Media Coverage and this Administrative Order, in each county.*

*Following each meeting and inspection, "Operational Guidelines" shall be drafted and approved for that county by the Media Coordinator, Court Media Liaison, Presiding Judge, and Chief Judge. Approval of these "Operational Guidelines" shall be a prerequisite for any request for extended media coverage in that county.*

## **1.1 Definitions**

- (a) **"Extended media coverage"** means any media recording or broadcasting of proceedings by the use of television, radio, photographic, or recording equipment for the purpose of gathering and disseminating news to the public.
- (b) **"News Media"**, in general, means established news gathering and reporting agencies and their representatives whose function is to inform the public.
- (c) **"Judge"** means the circuit or associate judge presiding in a trial court proceeding.
- (d) **"Chief Judge"** means the chief judge of the circuit.
- (e) **"Judicial proceedings"** or "proceedings" includes all public trials, hearings or other proceedings of a trial court when extended media coverage is requested, except those specifically excluded by these provisions.
- (f) **"Media coordinator"** means a member of the news media who has requested extended coverage or, in the case of more than one media person requesting extended coverage, a representative chosen by all of the media requesting extended coverage and approved by the judge. The media coordinator shall work with the chief judge and the judge, or with their designee, in a court proceeding with extended coverage.

## **1.2 General**

Broadcasting, televising, recording and photographing may be permitted in the courtroom during sessions of the court, under the following conditions:

- (a) Permission first shall have been granted by the judge, who may prescribe such conditions of coverage as provided for in this policy. The chief judge shall have discretion to deny all extended media coverage.

- (b) In prosecutions for sexual abuse, or when sexual abuse is an essential element, there shall be no extended media coverage of the testimony of a victim unless the testifying victim consents. Further, an objection to coverage by a testifying victim in any other forcible felony prosecution, and by police informants, undercover agent(s), and relocated witnesses shall be presumed valid. The judge shall exercise broad discretion in deciding whether there is cause for prohibition. This list is not exclusive. The judge may find cause in comparable situations.
- (c) Extended media coverage is prohibited in any court proceeding required under Illinois law to be held in private. No coverage shall be permitted in any juvenile, dissolution, adoption, child custody, evidence suppression or trade secret cases.
- (d) Extended media coverage of jury selection is prohibited. Extended media coverage of the jury and individual jurors is prohibited.
- (e) There shall be no audio pickup or broadcast or recording of a conference in a court proceeding or in a court facility between attorneys and their clients, between co-counsel, between attorneys and opposing counsel, or attorneys and the judge.
- (f) Audio or visual equipment authorized by these provisions shall not be operated during a recess in the court proceeding.
- (g) The quantity and types of equipment permitted in the courtroom shall be subject to the discretion of the judge within the guidelines set out in this policy.
- (h) Upon application of the media, the judge may permit the use of equipment or techniques at variance with the provisions in this policy, provided the variance request is included in the advance notice of coverage provided for in subsection 1.3(b). Objections, if any, shall be made as provided in subsection 1.3(c). Ruling upon a variance application shall be at the sole discretion of the judge. Variances may be allowed by the judge without advance application or notice if all counsel and parties consent to it.
- (i) The judge may refuse, limit, amend or terminate photographic or electronic media coverage at any time during the proceedings in the event the judge finds that provisions established under this policy, or additional rules imposed by the judge, have been violated, or that substantial rights of individual participants or rights to a fair trial will be prejudiced by the manner of coverage if it is allowed to continue; or if it is necessary to guarantee the safety of the courtroom, including any party, witness, juror or attendee of the proceeding.
- (j) The rights of extended media coverage may be exercised only by the news media.

- (k) A decision by a judge to deny, limit or terminate extended media coverage is not appealable.
- (l) A judge may authorize extended media coverage of ceremonial proceedings at variance with provisions in this policy as the judge sees fit.

***First Circuit Adm Order 12-11-1: Section 1.2-A***

***The Court Media Liaison will direct the news media to their assigned location.***

***Members of the news media shall remain stationery and shall make no comments during judicial proceedings or while the jury is in the courtroom.***

***Members of the media shall not conduct interviews in the courtroom.***

***Members of the news media shall not, by photograph or video, focus on any materials on counsel tables, materials on evidence carts, or materials that have not yet been presented as evidence or published to the jury.***

***Members of the news media shall not photograph, video, or record the jury, any prospective juror, or any spectator to the judicial proceedings.***

***The judge may order the news media to install any manner of temporary courtroom alterations including, but not limited to, a screen or divider to conceal the jury from the view of recording equipment.***

***Nothing in this order shall preclude coverage of judicial proceedings by other members of the news media who have not been granted permission for extended media coverage.***

**1.3 Procedural**

(a) Media Coordinator. The judge, or the court's designee, and all interested members of the media shall work, whenever possible, with and through an appropriate media coordinator on all arrangements for extended media coverage. In the event a media coordinator is not available for a particular proceeding, the judge may deny extended media coverage or may appoint an individual from among local working representatives of the media to serve as the coordinator for the media in the proceeding.

***First Circuit Adm. Order 12-11-1: Section 1.3-1:***

***A single representative acting on behalf of all news media organized shall be selected to organize and submit requests for extended media coverage and administer all aspects of extended for the news media. The media coordinator shall be selected by and among representatives of the news media and shall be approved by the Chief Judge.***



*The First Circuit Trial Court Administrator, or another designated by the Chief Judge, shall serve as the court media liaison. The court media liaison shall work with the media coordinator on all matters pertaining to extended media coverage.*

*The Court Media Liaison will work with members of the news media to locate and secure sufficient space to facilitate extended media coverage. Priority of available space outside the courtroom(s) being utilized for judicial proceedings shall remain, as it has, historically, as required by the actual participants in the judicial proceedings, for conferences between attorney and client, opposing attorneys, and for witness preparation.*

**(b) Advance Notice of Coverage.**

1. All requests for extended media coverage shall be made through the media coordinator. The media coordinator shall inform the judge at least 14 days in advance of the time the proceeding is scheduled to begin, but these times may be extended or reduced by court order. When the proceeding is not scheduled at least 14 days in advance, however, the media coordinator shall give notice of the request as soon as practicable after the proceeding is scheduled. Upon receipt of notice, the judge shall inform the chief judge.
2. Notice of the request shall be in writing, filed in the office of the clerk of the circuit clerk. A copy of the notice shall be provided by the media coordinator to all counsel of record, parties appearing without counsel, the appropriate court administrator and the judge expected to preside. The notice shall contain:
  - A. The title and docket number of the case, and the date and time, if available, of the proceeding.
  - B. The type of extended media coverage requested with a description (e.g. the number of television cameras, still photographers).
  - C. A statement that appropriate notice is being provided to all counsel of record, parties appearing without counsel, the trial court administrator and the judge, along with the names of each.
  - D. The name, address and telephone number of the media coordinator making the request, and the media coordinator's employer.
3. Failure to provide notice to all counsel of record and to parties appearing without counsel may result in denial of the request for extended media coverage.

***First Circuit Adm Order 12-11-1: Section 1.3(b)(1)***

***Requests for extended media coverage shall be filed in the Office of the Circuit Clerk for the county in which the proceedings are pending.***

***Upon the filing of a request for extended media coverage, the Circuit Clerk shall, as soon as practicable thereafter, but in no event later than the end of that day, notify the Chief Judge, the Presiding Judge of the County in which the proceedings are pending, the judge expected to preside, and the court media liaison, and provide courtesy copies of the request and supporting materials to each.***

***In addition, the Circuit Clerk shall provide timely written notice of all filed requests for extended media coverage, objections, objections and other pleadings to all counsel of record and parties appearing without counsel.***

***The judge shall enter a written order on all requests for extended media coverage specifying the scope of coverage permitted. An order for extended media coverage shall be effective for all subsequent proceedings until the conclusion of the involved cases(s) or as otherwise ordered by the court and subject to ruling on any filed objections.***

***Calendar days shall be used for the purpose of calculating the time frames for the filing of requests and objections.***

**(c)     **Objections.****

A party objecting to expanded media coverage shall file a written objection, stating the reasons, at least three (3) days before commencement of the proceeding. All witnesses shall be advised by counsel proposing to introduce their testimony of their right to object to extended media coverage, and all objections by witnesses shall be filed prior to the commencement of the proceeding. Witnesses shall be entitled to the assistance of the clerk of the circuit court in providing copies of this objection to all counsel of record, parties appearing without counsel, the media coordinator and the judge. All objections shall be heard and determined by the judge prior to the commencement of the proceedings.

The judge may rule on the basis of the written objection alone. In addition, the objecting party or witness, and all other parties, may be afforded an opportunity to present additional evidence by affidavit or by other means as the judge directs. The judge may permit presentation of evidence by the media coordinator in the same manner. Time for filing of objections may be extended or reduced at the discretion of the judge, who also, in appropriate circumstances, may extend the right of objection to persons not specifically provided for in this policy.

***First Circuit Adm Order 12-11-1: Section 1.3-A:***

***All requests for extended media coverage, objections, and orders shall be made on forms identical to forms prepared and provided by the Office of the Chief Judge of the First Circuit.***

**1.4 Technical**

- (a) **Equipment specifications.** Equipment to be used in courtrooms during judicial proceedings must be unobtrusive and must not produce distracting sound. In addition, equipment must satisfy the following criteria, where applicable:
1. **Still Cameras.** Still cameras and lenses must be unobtrusive without distracting light or sound.
  2. **Television cameras and related equipment.** Television cameras, together with any related equipment to be located in the courtroom, must be unobtrusive in both size and appearance, without distracting sound or light.
  3. **Audio equipment.** Microphones, wiring and audio recording equipment shall be unobtrusive and shall be of adequate technical quality to prevent interference with the covered judicial proceedings. Any changes in existing audio systems must be approved by the presiding judge. No modifications of existing systems shall be made at public expense. Microphones for use of counsel and judges shall be equipped with power switches to facilitate compliance with subsections 1.2(e) and (f) of this policy.
  4. **No light or signal visible or audible to participants in the proceeding shall be used on any equipment during extended coverage to indicate whether it is operating.**
  5. **Advance approval.** It shall be the duty of media personnel to demonstrate to the judge reasonably in advance of the proceeding that the equipment sought to be used meets the criteria set forth in this section. Failure to obtain advance judicial approval for equipment may preclude its use in the proceeding. All media equipment and personnel shall be in place at least fifteen minutes prior to the scheduled time of commencement of the proceeding.
- (b) **Lighting.** Other than light sources already existing in the courtroom, no flashbulbs or other artificial light device of any kind shall be employed in the courtroom. With the approval of the judge, however, modifications may be made in light sources existing in the courtroom (e.g., higher wattage light bulbs), provided modifications are installed and maintained without public expense.

(c) **Pooling and Equipment.** The following limitations on the number of photographic and broadcast media personnel in the courtroom and the amount of equipment shall apply:

1. **Pooling.** The media are encouraged to pool equipment and personnel. Where the limitations on equipment and personnel under these provisions make it necessary, the media shall be required to pool equipment and personnel. Pooling arrangements shall be the sole responsibility of the media coordinator. No judicial officer or court personnel shall mediate disputes. Priority consideration shall be extended to one of the two television cameras to televise an entire proceeding from beginning to end. In the absence of agreement or in the event of unresolved disputes relating to pooling arrangements, the kind of extended coverage sought shall be prohibited and excluded from the proceeding.
2. **Still photography.** Not more than two still photographers, each using not more than two camera bodies and two lenses, shall be permitted in the courtroom during a judicial proceeding at anyone time.
3. **Television.** Not more than two television cameras, each operated by not more than one camera person, shall be permitted in the courtroom during a proceeding. Other than the television cameras, recording and broadcast equipment shall be located outside of the courtroom.
4. **Audio.** Only one audio system for broadcast shall be permitted in a proceeding. Where possible, audio for all media shall be from any existing audio system present in the courtroom. If no technically suitable audio system exists, microphones, wiring, and recording equipment shall be furnished and temporarily installed by the news media without public expense, shall not interfere with the sound quality of any existing courtroom audio system, shall be operated by one person and shall be located in places designated in advance by the judge or designee. Where possible, electronic audio recording equipment and any operating personnel shall be located out of the courtroom.
5. **Sufficient video and audio tape capacities** should be provided to obviate the need to make changes except during court recess.
6. **No equipment or clothing of any extended coverage personnel** shall bear any insignia or identification of the individual medium or network involved in extended coverage.

(d) **Location of equipment and personnel.** Equipment and operating personnel shall

be located in, and coverage of the proceedings shall take place from, an area or areas within the courtroom designated by the judge. The area or areas designated shall provide reasonable access to the proceeding to be covered. No equipment or personnel involved in extended media coverage shall impede pedestrian traffic movement into, or from, the courthouse, including but not limited to courthouse corridors and courtroom entrances and exits.

- (e) **Movement during the proceedings.** Television cameras and audio equipment may be installed in or removed from the courtroom only when the court is not in session. Equipment shall not be stored in the courthouse. In addition, such equipment shall at all times be operated from a fixed position. Still photographers and broadcast media personnel shall not move about the courtroom while proceedings are in session, nor shall they engage in any movement attracting undue attention. Still photographers shall not assume body positions inappropriate for the courtroom.
- (f) **Decorum.** All news media representatives shall be properly attired and shall maintain proper courtroom decorum at all times when covering a judicial proceeding. The judge has discretion to determine proper attire and courtroom decorum.

***First Circuit Adm. Order 12-11-1: Section 1.4-A***

***Parabolic or other highly sensitive long range microphones are prohibited.***

***Audio or video recording by cell phone, any concealed device, or any other device not approved by the judge in advance of the proceedings, is prohibited.***

***Internet access devices may be allowed, with prior approval of the judge, but only to the extent such devices may be operated silently.***

***First Circuit Adm Order 12-11-1: Section 1.5***

***In addition to contempt and any other sanctions allowed by law, the judge or the Presiding Judge of the county, or the Chief Judge may remove anyone violating the Policy for Extended Media coverage or this Administrative Order from the courtroom and revoke the privileges for extended media coverage.***

***If any member or the news media fails to comply with the conditions set forth in the Policy for Extended Media Coverage or this Administrative Order, or any other order imposed by the judge, the Presiding judge of the county, or the Chief Judge, restrictions may be imposed by the judiciary on the dissemination, broadcast and/or publication of extended media coverage.***

**End of Attachment**