

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

IN RE: PUBLIC ACCESS TO)
VIDEO OR TELECONFERENCE) CIV. MISC. NO. 2:20-mc-3910-ECM
HEARINGS)

GENERAL ORDER

This General Order is being issued in response to ongoing national emergency in response to the COVID-19 pandemic. The United States District Court for the Middle District of Alabama has issued general orders supporting video and teleconferencing for court proceedings in accordance with the applicable statutes and rules of the Judicial Conference of the United States. This Court continues to strongly support the presumption of public access to hearings before the Court and in support of this presumption, until further order of the Court, makes the following accommodations available in any proceeding conducted by videoconference or teleconference.

1. Access to hearings will be made available to the public via audio teleconference through the link at the following address:

<http://www.almd.uscourts.gov/broadcast-hearings>

2. Access to hearings will be made available to the media through the link at the following address:

<http://www.almd.uscourts.gov/request-media-access>

3. Members of the public and the media who access any hearing pursuant to this order are reminded of the prohibitions regarding photographing, recording and broadcasting of court proceedings (Local Rule 83.4, attached to this order);

4. Members of the public and the media who access any hearing pursuant to this order who violate Local Rule 83.4 may face sanctions including contempt of court, removal of court issued media credentials, restricted entry to future proceedings, denial of entry to future proceedings, or any other sanctions deemed appropriate by the presiding judicial officer.

To the extent inconsistent with this order, any order or local rule in this district is SUPERSEDED until further order of the Court.

DONE this the 5th day of April, 2020.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE

Local Rule 83.4
Photography, Broadcasting, Recording and Electronic Devices

(a) The taking of photographs and operation of audio or video recording in the courtroom or its environs, and radio, television or other broadcasting from the courtroom during the progress or in connection with judicial proceedings, including proceedings before a United States District, Magistrate, Bankruptcy Judge or Administrative Law Judge, whether or not court is in session, is prohibited. However, attorneys and members of their staffs may possess and use electronic or photographic means for the presentation of evidence.

(b) The Court maintains a written policy on the use of cellular telephones, paging devices, and laptop computers. For the most recent Court policy, see the Court's Standing and General Orders which may be obtained from the Court's website at <http://www.almd.uscourts.gov> or by calling the clerk's office at 334-954-3600.

(c) In exceptional situations, at the request of the United States Marshal or United States Attorney, the court may direct limitations on photography and broadcasting to maintain the secrecy of grand jury proceedings, to protect jurors and witnesses, and to further the interests of justice in unusual, hazardous, or inflammatory circumstances.

(d) The broadcasting, televising, recording, or photographing of investitive, ceremonial, or naturalization proceedings may be authorized by the presiding judge.

(e) The courtroom and its environs, as such terms are used in this rule, and in the applicable General and Standing Orders of the Court shall include any portion of the United States courthouse buildings and the exterior steps to such buildings, and parking areas adjacent to such buildings if such areas are owned by the United States Government. The environs of the courtroom as defined in this rule shall not include the office of any elected official within any United States courthouse, nor should it include the office area of any other agency within such buildings where photography, broadcasting, and recording have been invited or authorized by the person in charge thereof with respect to a matter which is unrelated to court proceedings or security. Where the interests of justice or public safety may so require, the Court may direct the marshal to extend the environs of the courtroom, as such term is contemplated in this order, to the curb or edge of the public streets or thoroughfares adjacent to such buildings if such areas are owned by the United States Government.

(f) It is the purpose of this order to preserve and protect the dignity and solemnity of court proceedings, to promote public safety and the safety of the court and its personnel, and to facilitate access to court functions by the public and court officers while allowing the progressive use of electronic devices which will aid in the preparation and trial of cases and the hearing and resolution of motions and other court matters. Nothing herein contained shall be construed unreasonably so as to restrict the constitutional rights of any individual.

(g) There is a limited exception to the ban on recording and publication of district court proceedings as set forth in Local rule 83.4 for district judges participating in a pilot program

established by the Judicial Conference of the United States in September 2010 (JCUS-SEP 10, pp. 3-4) to evaluate the effect of cameras in district courtrooms, of video recordings of proceedings therein, and of publication of such video recordings.

Any recording and publication conducted pursuant to the pilot program must comply with the program guidelines issued by the Judicial Conference Committee on Court Administration and Case Management, pursuant to the pilot program (available at www.uscourts.gov).