

## **Jackson County Circuit Court Guidelines for Media Coverage**

Presiding Judge: Benjamin Bloom 541-776-7171

Trial Court Administrator: Tina Qualls 541-776-7171

Public Information Assistant: Kaycee Morton 541-776-7171 Ext. 71616

Justice Building: 100 S Oakdale Avenue, Medford, OR 97501

Juvenile Justice Complex: 609 W 10<sup>th</sup> Street, Medford, OR 97501

### ***Do I need prior permission from the court for electronic recording and writing?***

Electronic notetaking and recording are generally allowed, but the court needs to approve it in advance. You need separate, advance permission from the court before you can take any electronic notes or do other electronic writing in the courtroom, electronically record in the courtroom or other areas, or send any electronic recordings or writings from the courtroom. Permission can only be obtained by completing the [Media Access Request Form](#) at least two hours prior to the start of the proceeding. Emailing court staff directly is not considered a request and therefore will not receive a response. Requests may be submitted by email to [jac.media.requests@ojd.state.or.us](mailto:jac.media.requests@ojd.state.or.us) or in-person at the Public Window at 100 S. Oakdale, Medford, OR, 97501.

### ***Whom should I contact to be the pool broadcast reporter for a hearing or trial?***

The judge presiding over the hearing is the only person who can approve media presence in a courtroom for a hearing or trial. If you are requesting to be the pool camera for a hearing at the Jackson County Justice Building please complete the [Media Access Request Form](#) at least two hours prior to the start of the proceeding. Requests may be submitted by email to [jac.media.requests@ojd.state.or.us](mailto:jac.media.requests@ojd.state.or.us) or in-person at the Public Window at 100 S. Oakdale, Medford, OR, 97501. If you are the second camera approved for a media request and the first pool camera person does not appear for a hearing or trial; you may bring your camera in and film. When taking photos or filming as approved by the judge you must follow court protocol on what and whom you may photograph or video. If you have any questions, you can call 541-776-7171 Ext. 71616.

### ***Is it possible to have more than one public access device (camera) in a court proceeding?***

The court, at its discretion, may permit additional public access coverage equipment provided the additional equipment does not interfere with the rights of the parties to a fair trial or affect the presentation of evidence or outcome of the trial, and any cost or increased burden resulting from the additional public access coverage does not interfere with the efficient administration of justice.

***May I take photographs or video in courthouse hallways or common areas?***

Not without permission with the exception in the public areas of the first floor of the Jackson County Justice Building. Permission must be granted for photographs or videos in facilities occupied by the court, excluding the public areas of the first floor of the Justice Building. For permission to use cameras on court facility premises, but not in a courtroom, you must complete the [Media Access Request Form](#). Requests may be submitted by email to [jac.media.requests@ojd.state.or.us](mailto:jac.media.requests@ojd.state.or.us) or in-person at the Public Window at 100 S. Oakdale, Medford, OR, 97501.

***May I take photographs or video on the courthouse steps or sidewalk?***

The court's authority under UTCR 3.180 and SLR 3.181 applies only to the court-controlled space within a court facility, with the exception in the public areas of the first floor or on Jackson County owned premises that include access points to such a facility. This may include the courthouse steps but does not include the public parking or sidewalk.

***Does Jackson County have a rule that requires cell phones to be silenced inside courtrooms?***

Yes. All courtrooms have signs on the doors saying, "Please silence your cell phone."

***May I tweet or blog from the area outside the courtroom?***

Tweeting and blogging from the area outside the courtroom are not restricted and you may do so. This permission does not extend to using a photo, video or recording feature of devices without first obtaining permission. Permission can be obtain by completing the [Media Access Request Form](#). Requests may be submitted by email to [jac.media.requests@ojd.state.or.us](mailto:jac.media.requests@ojd.state.or.us) or in-person at the Public Window at 100 S. Oakdale, Medford, OR, 97501. If you have any questions, you can call 541-776-7171.

***If I have a question for the judge, how should I handle that?***

Call the judge's Judicial Assistant. The Judicial Assistant will get you in touch with the judge if appropriate. Depending on the questions, the judge may or may not be able to speak to you. Bear in mind that judges are restricted from commenting on a pending matter in the court and can be subject to discipline for doing so. The judge's staff may screen your question and once a judge has determined that it is a matter about which the judge cannot comment, please don't push the matter with the judge. It is the judge's determination that controls these issues.

***If I want to meet in person with the judge, how should I handle that?***

Call the judge's Judicial Assistant and make an appointment to meet with the judge. The Judicial Assistant will let you in the door leading to the judge's chambers at your appointment time.

***If I do not like my camera position, how should I handle that?***

You may request a new camera position if you are in a trial or hearing by asking the judge's Judicial Assistant or the media contact for the court. It is up to the judge whether or not you will be permitted to move the camera, but it is appropriate to make the request. Please wait until the next break in the court proceedings to make the request to the judge's Judicial Assistant or courtroom clerk. Never attempt to move your position without prior approval or while the hearing is in session. Wait for a recess, get permission, and make the move before the court session resumes if approved by the judge.

***Are there any other local rules that might affect my reporting?***

The key rules are UTCR 3.180 and SLR 3.181. Other than these rules, any judge presiding over a proceeding may put into place additional orders regarding the media and the public access to the proceeding to maintain proper decorum and the effective administration of justice during the proceeding. In "notorious" case trials or hearings, the court may impose "special" orders to provide rules for access to the proceeding. These special orders in notorious cases may address public access coverage as well as general access by the public to the proceedings.

***Can I photograph in Juvenile court?***

No, public access coverage is not allowed in juvenile court proceedings. Juvenile court records are confidential. The Juvenile Justice Complex is located at 609 W 10<sup>th</sup> Street, Medford, OR 97501.

***Can I hide cameras or microphones in public places in the court facility or the courtroom to record conversations intended to be private?***

No, public access coverage if granted in the courtrooms or in the public places in the Justice Building must be openly done, with cameras and microphones visible to the parties to the proceeding, to the witnesses, and to the public.

***Can I be held in contempt for violation of the court's rules and orders regarding public access coverage of proceedings in courtrooms or in the public spaces of a court facility?***

Yes, if you violate a direct order of the court to comply with the rules and orders of the court regarding public access coverage you risk either summary or remedial contempt sanctions.

***Important guidelines for all media to follow when present at a hearing or trial:***

- Make sure to arrive early to set up any necessary and approved equipment.
- Make sure to be completely ready when hearing or trial starts.
- Do not breakdown equipment during a hearing or trial wait until there is a break or court has ended.
- Make sure to silence or turn your cell phone off.
- Make sure to dress appropriately for the courtroom.

## Appendix of Rules Applicable to the Circuit Court for Media Coverage

### UTCR 3.180

#### 3.180 ELECTRONIC RECORDING AND WRITING

- (1) As used in this rule:
  - (a) “Electronic Recording” includes video recording, audio recording, live streaming, and still photography by cell phone, tablet, computer, camera, tape recorder, or any other means. “Electronic recording” does not include “electronic writing.”
  - (b) “Electronic Writing” means the taking of notes or otherwise writing by electronic means and includes but is not limited to the use of word processing software and the composition of texts, emails, instant messages, and postings to social media and networking services.
- (2) Upon request made prior to the start of a proceeding, and after notice to all parties by the court, electronic recording shall be allowed in any courtroom or during a remote proceeding except as provided under this rule. The court shall permit one video camera, one still camera, and one audio recorder in the courtroom. The court may permit additional cameras and electronic recording in any courtroom or during a remote proceeding consistent with this rule.
- (3) A person who seeks to electronically record all or any portion of a court proceeding must obtain express permission from the court prior to any proceeding. No fee may be charged. The granting of such permission to any individual person or entity is subject to the court’s discretion, which may include considerations of the need to preserve the solemnity, decorum, or dignity of the court; the protection of the parties, witnesses, or jurors; or whether the requestor has demonstrated an understanding of all provisions of this rule.

- (4) Except as otherwise provided in this rule:
- (a) The court shall not wholly prohibit all electronic recording of a court proceeding unless the court makes findings of fact on the record setting forth substantial reasons that establish:
    - (i) There is a reasonable likelihood that the electronic recording will interfere with the rights of the parties to a fair trial or will affect the presentation of evidence or the outcome of the trial; or
    - (ii) There is a reasonable likelihood that the costs or other burdens imposed by the electronic recording will interfere with the efficient administration of justice.
  - (b) “Wholly Prohibit All Electronic Recording” means issuing an order prohibiting all recording of a proceeding by all persons. The court’s denial of a particular request under the factors in section (3) does not constitute an order prohibiting all recording by all persons and does not require findings of fact on the record, even if the person whose request is denied is the only person who has requested permission to record a proceeding.
- (5) Except with the express prior permission of the court, a person may not:
- (a) Electronically record any court proceeding;
  - (b) Electronically record in any area under the control and supervision of the court;
  - (c) Engage in electronic writing within a courtroom;
  - (d) Even if granted permission to record, send any electronic recording from within a

courtroom or during a remote proceeding; or

- (e) Even if granted permission to engage in electronic writing, send any electronic writing from within a courtroom or during a remote proceeding.
- (6) The provisions of subsections 5(c) and (e) of this rule do not apply to attorneys or to agents of attorneys unless otherwise ordered by the court.
- (7) The court may limit electronic recording of particular components of the proceeding if the Court finds that:
- (a) The limitation is necessary to preserve the solemnity, decorum or dignity of the court or to protect the parties, witnesses, or jurors;
  - (b) The use of electronic recording equipment interferes with the proceedings; or
  - (c) The electronic recording of a particular witness would endanger the welfare of the witness or materially hamper the testimony of the witness.
- (8) If a person violates this rule or any other requirement imposed by the court, the court may order the person, and any organization with which the person is affiliated, to terminate electronic recording or electronic writing.
- (9) Notwithstanding any other provision of this rule, the following may not be electronically recorded by any person at any time:
- (a) Proceedings in chambers.
  - (b) Any notes or conversations intended to be private including but not limited to counsel

and judges conferring at the bench and conferences involving counsel and their clients.

- (c) Dissolution, juvenile, paternity, adoption, custody, visitation, support, civil commitment, trade secrets, and abuse, restraining and stalking order proceedings.
  - (d) Proceedings involving a sex crime, if the victim has requested that the proceeding not be electronically recorded.
  - (e) Voir Dire
  - (f) Any juror anywhere under the control and supervision of the court during the entire course of the trial in which the juror sits.
  - (g) Recesses or any other time the court is off the record.
- (10) The court may prescribe the location of and the manner of operating electronic equipment within a courtroom. Artificial lighting is not permitted. Any pooling arrangement made necessary by limitations on equipment or personnel imposed by the court is the sole responsibility of the persons seeking to electronically record. The court will not mediate disputes. If the persons seeking to electronically record are unable to agree on the manner in which the recording will be conducted or distributed, the court may terminate any or all such recording.
- (11) A judicial district may, by SLR:
- (a) Designate areas outside a courtroom and under the control and supervision of the court, including hallways or entrances, where electronic recording is allowed without prior permission, unless otherwise ordered in a particular instance.

- (b) Adopt procedures to obtain permission for electronic recording or electronic writing;
  - (c) SLR 3.181 is reserved for any SLR adopted under this subsection.
- (12) For the purpose of determining whether this rule or other requirements imposed by the court have been violated, or to assure the effective administration of justice, a person engaged in electronic recording under this rule must, upon request and without expense to the court, provide to the court, for in camera review, an electronic recording in a format accessible to the court. The copy may be retained by the court and may be sealed if necessary for the further administration of justice.
- (13) This rule does not:
- (a) Limit the court's contempt powers;
  - (b) Operate to waive ORS 44.510 to 44.540 (media shield law); or
  - (c) Apply to court personnel engaged in the performance of official duties.

**SLR 3.181**

**3.181 Public Access Coverage**

- (1) Public access coverage is allowed in the public areas of the first floor of the Jackson County Justice Building. Special effort shall be made to reduce any disruption caused by media coverage in public access areas and in court facilities.
- (2) All requests for access coverage in facilities occupied by the court, excluding the public areas of the first floor of the Justice Building, require prior approval.



Requests for access coverage shall be directed to the Trial Court Administrator's  
Office:

Trial Court Administrator's Office  
Jackson County Justice Building  
100 South Oakdale Avenue  
Medford, OR 97501-3127  
Phone: (541) 776-7171 Ext. 71616  
Fax: (541) 776-7057